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**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—01—26

**ONTARIO REGULATION 1/08**

made under the

**ONTARIO PLANNING AND DEVELOPMENT ACT, 1994**

Made: January 7, 2008

Filed: January 7, 2008

Published on e-Laws: January 8, 2008

Printed in *The Ontario Gazette*: January 26, 2008

Amending O. Reg. 481/73

(County of Halton (now part of the regional municipalities of Halton and Peel), Town of Oakville (now part of the towns of Halton Hills, Milton, Oakville and the City of Mississauga))

Note: Ontario Regulation 481/73 has previously been amended. Those amendments are listed in the Table of Unconsolidated and Unrevoked Regulations which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 481/73 is amended by adding the following section:**

**88. (1)** Despite section 4, a golf facility, including a club house, staff office building, workshop building and storage building may be erected, located and used on the lands described in subsection (2) if the following requirements are met:

Maximum floor area of the clubhouse:	485 square metres
Maximum height of the clubhouse:	9 metres
Maximum number of parking spaces:	100 cars
Maximum floor area for staff office building:	135 square metres
Maximum height of staff office building:	6 metres
Maximum floor area of workshop building:	40 square metres
Maximum height of workshop building:	5 metres
Maximum floor area of equipment storage building:	330 square metres
Maximum height of equipment storage building:	7 metres

(2) Subsection (1) applies to the parcel of land located in the Town of Oakville in The Regional Municipality of Halton being part of Lots 21, 22, and 23 in Concession 2, North of Dundas, more particularly described as,

- (a) part of Lot 21 and Lot 22 in Concession 2 Trafalgar, NDS being parts 1, 2, 3, 4, 7 and 8 on Plan 20R-9926 and parts 1, 2, 3, 4, 5, and 6 on Plan 20R-10123 save and except for parts 1 and 2 on Plan 20R-10126 identified as PIN 24928-0031(LT);
- (b) part of Lot 23 in Concession 2 Trafalgar, NDS being Part 2 on Plan 20R-5735 identified as PIN 24928-0054(LT); and
- (c) part of Lot 23 in Concession 2 Trafalgar, NDS being part 1 on Plan 20R-5735, save and except part 1 on Plan 20R-5958 and part 1 on Plan 20R-12482 identified as PIN 24928-0145(LT).

**2. This Regulation comes into force on the day it is filed.**

Made by:

LARRY CLAY  
*Regional Director*  
*Municipal Services Office — Central Region*  
*Ministry of Municipal Affairs and Housing*

Date made: January 7, 2008.

4/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).



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2008—02—02

**ONTARIO REGULATION 2/08**

made under the

**ONTARIO PLANNING AND DEVELOPMENT ACT, 1994**

Made: January 11, 2008

Filed: January 14, 2008

Published on e-Laws: January 15, 2008

Printed in *The Ontario Gazette*: February 2, 2008

Amending O. Reg. 482/73

(County of Halton (now The Regional Municipality of Halton), City of Burlington)

Note: Ontario Regulation 482/73 has previously been amended. Those amendments are listed in the Table of Unconsolidated and Unrevoked Regulations which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subparagraph 1 iv of subsection 2 (2) of Ontario Regulation 482/73 is amended by adding the following sub-subparagraph:**

- O. That parcel of land in the City of Burlington (formerly in the Township of East Flamborough) in The Regional Municipality of Halton, being part of Lot 1 in Concession 1, further described as Parts 1, 2, 3 and 4 on Reference Plan 20R-17420 and identified as Property Identification Number 07127-0313 (LT), registered in the Land Registry office for the Registry Division of Halton (No. 20).

**2. This Regulation comes into force on the day it is filed.**

Made by:

LARRY CLAY  
*Regional Director*  
*Municipal Services Office — Central Region*  
*Ministry of Municipal Affairs and Housing*

Date made: January 11, 2008.

5/08

**ONTARIO REGULATION 3/08**

made under the

**ONTARIO PLANNING AND DEVELOPMENT ACT, 1994**

Made: January 14, 2008

Filed: January 14, 2008

Published on e-Laws: January 15, 2008

Printed in *The Ontario Gazette*: February 2, 2008

Amending O. Reg. 473/73

(Regional Municipality of York, Town of Markham)

Note: Ontario Regulation 473/73 has previously been amended. Those amendments are listed in the Table of Unconsolidated and Unrevoked Regulations which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph (i) of section 2 of Ontario Regulation 473/73 is amended by adding the following subparagraph:**

6. That parcel of land situated in the Town of Markham in The Regional Municipality of York being composed of part of Lot 35 in Concession 1, East of Yonge Street, described as follows:

That part of Lot 22 on Registered Plan 2386 more particularly described as Part 1 on Reference Plan 65R-28842 and identified as Property Identifier Number 03028-0822 (LT); and

Lot 21 on Registered Plan 2386 save and except Part 1 on Expropriation Plan R-654560 and identified as Property Identifier Number 03028-0002 (LT); and

Those parts of Lots 6 and 21 on Registered Plan 2386 more particularly described as Part 2 on Reference Plan 65R-28842 and identified as Property Identifier Number 03028-0001 (LT); and

That part of Lot 7 on Registered Plan 2386 more particularly described as Part 3 on Reference Plan 65R-28842 and identified as Property Identifier Number 03028-0819 (LT); and

Those parts of Lots 8, 9, 10 and 11 on Registered Plan 2386 more particularly described as Part 4 on Reference Plan 65R-28842 and identified as Property Identifier Number 03028-0820 (LT); and

Part of Benson Avenue established by Registered Plan 2386 more particularly described as Parts 3, 4 and 5 on Reference Plan 65R-16388 and identified as Property Identifier Number 03028-0798 (LT); and

Those parts of Lots 12, 13, 14 and 15 on Registered Plan 2386 more particularly described as Parts 6, 7, 8, 9 and 10 on Reference Plan 65R-16388 and identified as Property Identifier Number 03028-0007 (LT).

**2. This Regulation comes into force on the day it is filed.**

Made by:

LARRY CLAY  
DirectorMunicipal Services Office — Central  
Ministry of Municipal Affairs and Housing

Date made: January 14, 2008.

5/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—02—09

**ONTARIO REGULATION 4/08**

made under the

**EDUCATION ACT**

Made: January 23, 2008

Filed: January 24, 2008

Published on e-Laws: January 24, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 400/98

(Tax Matters — Tax Rates for School Purposes)

Ontario Regulation 400/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Table 17 of the Regulation is amended by striking out,**

Brethour, Township of			0.02797172
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**and substituting,**

Brethour, Township of	0.01082192		0.02797172
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**2. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: January 23, 2008.

6/08

**ONTARIO REGULATION 5/08**

made under the

**DIETETICS ACT, 1991**

Made: November 5, 2007

Approved: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008Amending O. Reg. 593/94  
(General)

Note: Ontario Regulation 593/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Sections 30.25 and 30.26 of Ontario Regulation 593/94 are revoked and the following substituted:**

**30.25** (1) The Registrar shall ensure that notice is given in accordance with this Part with respect to each of the following that is required to be open to the public under the Act:

1. A meeting of the Council.

2. A hearing of the Discipline Committee respecting allegations of a member's professional misconduct or incompetence.

(2) The notice must, where possible, be posted not less than 14 days before the date of the meeting or hearing on the website of the College.

(3) The notice must be published in English and in French.

(4) The notice must include,

(a) the date, time and location of the meeting or hearing;

(b) a statement of the purpose of the meeting or hearing including, in the case of a hearing, the name of the member against whom the allegations have been made and the member's principal place of practice; and

(c) an address and telephone number at which further information about the meeting or hearing may be obtained.

(5) The Registrar shall give notice of a meeting or hearing that is open to the public to every person who requests it.

(6) No meeting or hearing is invalid simply because a person has not complied with a requirement of this Part.

**2. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE COLLEGE OF DIETITIANS OF ONTARIO:

CECILY ALEXANDER  
*President*ELIZABETH WILFERT  
*Vice-President*

Date made: November 5, 2007.



**ONTARIO REGULATION 6/08**  
made under the  
**RESPIRATORY THERAPY ACT, 1991**

Made: October 18, 2007  
Approved: January 22, 2008  
Filed: January 24, 2008  
Published on e-Laws: January 25, 2008  
Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 596/94  
(General)

Note: Ontario Regulation 596/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Sections 30 and 31 of Ontario Regulation 596/94 are revoked and the following substituted:**

**30. (1)** The Registrar shall ensure that notice is given in accordance with this Part with respect to each of the following that is required to be open to the public under the Act:

1. A meeting of the Council.
2. A hearing of the Discipline Committee respecting allegations of a member's professional misconduct or incompetence.
- (2) The notice must, where possible, be posted not less than 14 days before the date of the meeting or hearing on the website of the College.
- (3) The notice must be published in English and in French.
- (4) The notice must include,
  - (a) the date, time and location of the meeting or hearing;
  - (b) a statement of the purpose of the meeting or hearing including, in the case of a hearing, the name of the member against whom the allegations have been made and the member's principal place of practice; and
  - (c) an address and telephone number at which further information about the meeting or hearing may be obtained.
- (5) The Registrar shall give notice of a meeting or hearing that is open to the public to every person who requests it.
- (6) No meeting or hearing is invalid simply because a person has not complied with a requirement of this Part.

**2. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO:

SUSAN MARTIN  
*President*

CHRISTINE ROBINSON  
*Registrar*

Date made: October 18, 2007.

**ONTARIO REGULATION 7/08**

made under the

**OPTOMETRY ACT, 1991**

Made: November 1, 2007

Approved: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008Amending O. Reg. 119/94  
(General)

Note: Ontario Regulation 119/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Sections 35 and 36 of Ontario Regulation 119/94 are revoked and the following substituted:**

**35.** (1) The Registrar shall ensure that notice is given in accordance with this Part with respect to each of the following that is required to be open to the public under the Act:

1. A meeting of the Council.

2. A hearing of the Discipline Committee respecting allegations of a member's professional misconduct or incompetence.

(2) The notice must, where possible, be posted not less than 14 days before the date of the meeting or hearing on the website of the College.

(3) The notice must be published in English and in French.

(4) The notice must include,

(a) the date, time and location of the meeting or hearing;

(b) a statement of the purpose of the meeting or hearing including, in the case of a hearing, the name of the member against whom the allegations have been made and the member's principal place of practice; and

(c) an address and telephone number at which further information about the meeting or hearing may be obtained.

(5) The Registrar shall give notice of a meeting or hearing that is open to the public to every person who requests it.

(6) No meeting or hearing is invalid simply because a person has not complied with a requirement of this Part.

**2. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

LINDA BATHE  
*President*MURRAY TURNOUR  
*Registrar*

Date made: November 1, 2007.

**ONTARIO REGULATION 8/08**

made under the

**HEALTH INSURANCE ACT**

Made: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 9 of the definition of “schedule of benefits” in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

9. Amendments dated November 19, 2007 (effective as of February 1, 2008).

**2. Section 37.1 of the Regulation is amended by adding the following subsections:**

(2.9) Despite anything in this Regulation, and despite anything in this Regulation as it existed at any time after September 19, 1999, but subject to subsection (2.10), the insured service described as gastric bypass or partition for morbid obesity (fee schedule code S120 in the schedule of benefits) does not include, and shall be deemed never to have included, the service described as adjustable gastric banding by laparoscopic or open surgical method.

(2.10) Subsection (2.9) does not affect the authority of the Appeal Board to direct the General Manager to make a payment for laparoscopic gastric banding in the same amount and subject to the same conditions as a payment could have been made for gastric bypass or partition for morbid obesity (fee schedule code S120) in response to a claim for payment for adjustable gastric banding by laparoscopic or open surgical method made in an appeal to the Appeal Board, if notice of the appeal was served on the General Manager before November 19, 2007.

**3. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.**

**(2) Section 1 comes into force on February 1, 2008.**

6/08

**ONTARIO REGULATION 9/08**

made under the

**DENTAL HYGIENE ACT, 1991**

Made: September 20, 2007

Approved: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008Amending O. Reg. 218/94  
(General)

Note: Ontario Regulation 218/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 218/94 is amended by adding the following Part:**

**PART III.1****RECORDS**

**8. In this Part,**



“communal screening program” means a program designed to detect gross oral abnormalities or disease in identified population groups, through dental hygiene assessments in which no instrument other than mirrors, explorers, probes and lights are used intra-orally, and where instruments are not used for periodontal examination, and where no payment is made from or on behalf of a client to the member.

9. (1) A member shall, in relation to his or her practice, take all reasonable steps to ensure that records are made, used, maintained, retained and disclosed in accordance with this Regulation.

(2) A member shall ensure that his or her records are up to date and made, used, maintained, retained and disclosed in accordance with this Regulation.

10. (1) Subject to subsection (2), a member shall maintain a daily appointment record that contains the name of each client who the member examines, treats or for whom the member renders any service.

(2) Where a client is part of a communal screening program, the member shall maintain a daily appointment record that contains,

- (a) the information required under subsection (1); or
- (b) the name of each client participating in the program, the name of the group each client is associated with and the name of any other member working with the member.

11. (1) Each member shall maintain an equipment service record that contains servicing information for any instrument or equipment that is used by the member to examine, treat or render any dental hygiene service to a client.

(2) Each member shall maintain a record referred to in subsection (1) in relation to equipment that is used to sterilize equipment or instruments.

12. (1) Each member shall maintain a financial record for each client, unless the client is a client in a communal screening program, or any other program where there is no payment from or on behalf of a client to the member.

(2) A financial record shall contain the treatment or procedure rendered, the fee charged or received, and where available, the record of any receipt issued by or on behalf of the member.

12.1. (1) Subject to section 12.2, each member shall maintain a client health record for each client, that contains,

- (a) the client's name, address, and date of birth;
- (b) the date of each professional contact with the client, or the client's substitute decision-maker, and whether the contact was made in person, telephone or electronically;
- (c) for each intervention, the amount of time the member spent providing dental hygiene care;
- (d) the name and address of the client's primary care provider, if available;
- (e) the name and address of the client's primary care dentist, if available, unless the record is shared with that dentist;
- (f) the name and address of any referring health professional;
- (g) an appropriate medical and dental history of the client;
- (h) every written report received by the member respecting examinations, tests, consultations or treatments performed by any other person relating to the client;
- (i) a copy of every written communication sent by the member relating to the client;
- (j) each examination, clinical finding and assessment relating to the client;
- (k) any medication taken by the client as a precondition to treatment or examination by the member for each intervention, including the name of the medication, the time it was taken, and if the medication was not administered to the client by the client, the name of the person who administered it to the client;
- (l) any dental hygiene treatment plan;
- (m) each treatment or procedure performed for each intervention, and the identity of the person applying the treatment if the person applying the dental hygiene treatment was not the member;
- (n) any advice given by the member including any pre-treatment or post-treatment instruction given by the member to the client or the client's substitute decision-maker;
- (o) every controlled act, within the meaning of subsection 27 (2) of the *Regulated Health Professions Act, 1991*, performed by the member, including the source of the authority to perform the controlled act;
- (p) every referral of the client by the member to any other person;



- (q) every procedure that was commenced but not completed, including reasons for non-completion;
- (r) a copy of every written consent provided by the client, or the client's substitute decision-maker; and
- (s) every refusal of a treatment or procedure by the client, or the client's substitute decision-maker.

(2) The member shall ensure that every part of a client health record has a reference identifying the client.

(3) The member shall ensure that every entry in a client health record is dated and includes the identity of the person who made or dictated the entry.

**12.2.** A member shall maintain a client health record, where the client is part of a communal screening program, that contains,

- (a) the client's name, and a reference to the group with whom the client is identified;
- (b) the date and nature of the screening;
- (c) every clinical finding and assessment made by the member;
- (d) every referral of the client by the member to any other person;
- (e) a record of every refusal of a treatment or procedure by the client, or the client's substitute decision-maker.

**12.3** The member shall maintain his or her records in a manner that ensures that a client or client's substitute decision-maker and an investigator, assessor or representative of the College who is authorized under the *Regulated Health Professions Act, 1991* has access to the records.

**12.4 (1)** Subject to subsection (2), every financial and client health record shall be retained for at least 10 years following,

- (a) the last intervention with the client or the date of the last entry in the client health record, whichever is longer; or
- (b) the day the client became or would have become 18 years old, if the client was younger than 18 at the time of the last intervention with him or her.

(2) A member shall retain a record relating to a communal screening program for at least three years following the date of the program.

(3) A member shall retain each daily appointment record respecting a client for 10 years from the date of the last client intervention and retain each equipment service record for 10 years from the date of the last entry respecting the equipment or instrument.

**2. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO:

CATHIE MAZAL-KUULA  
*President*

FRAN RICHARDSON  
*Registrar*

Date made: September 20, 2007.

**ONTARIO REGULATION 10/08**

made under the

**GAMING CONTROL ACT, 1992**

Made: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 68/94

(Registration of Suppliers and Gaming Assistants — Games of Chance Held under a Licence)

Note: Ontario Regulation 68/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 8 of Ontario Regulation 68/94 is revoked and the following substituted:**

8. No person other than a supplier registered as a break open ticket seller or a lottery retailer under Ontario Regulation 281/07 (Lotteries) made under the Act is authorized to do any of the actions described in the definition of “break open ticket seller” in section 1.

**2. Section 28 of the Regulation is amended by adding the following subsection:**

(2) The requirements set out in sections 29 to 32 that are terms of registration of a registered break open ticket seller are also terms of registration of a lottery retailer registered under Ontario Regulation 281/07 (Lotteries) made under the Act who does any of the actions described in the definition of “break open ticket seller” in section 1.

**3. This Regulation comes into force on the day it is filed.****RÈGLEMENT DE L'ONTARIO 10/08**

pris en application de la

**LOI DE 1992 SUR LA RÉGLEMENTATION DES JEUX**

pris le 22 janvier 2008

déposé le 24 janvier 2008

publié sur le site Lois-en-ligne le 25 janvier 2008

imprimé dans la *Gazette de l'Ontario* le 9 février 2008

modifiant le Règl. de l'Ont. 68/94

(Inscription des fournisseurs et des préposés au jeu — jeux du hasard se déroulant aux termes d'une licence)

Remarque : Le Règlement de l'Ontario 68/94 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 8 du Règlement de l'Ontario 68/94 est abrogé et remplacé par ce qui suit :**

8. Seul un fournisseur inscrit comme vendeur de billets à fenêtres ou inscrit comme personne appelée «lottery retailer» aux termes du Règlement de l'Ontario 281/07 (Lotteries) pris en application de la Loi est autorisé à faire les choses mentionnées dans la définition de «vendeur de billets à fenêtres» à l'article 1.

**2. L'article 28 du Règlement est modifié par adjonction du paragraphe suivant :**

(2) Les exigences énoncées aux articles 29 à 32 qui constituent des conditions d'inscription des vendeurs de billets à fenêtres inscrits constituent également des conditions d'inscription des personnes appelées «lottery retailers» inscrites aux termes du Règlement de l'Ontario 281/07 (Lotteries) pris en application de la Loi qui font les choses mentionnées dans la définition de «vendeur de billets à fenêtres» à l'article 1.

**3. Le présent règlement entre en vigueur le jour de son dépôt.**

**ONTARIO REGULATION 11/08**

made under the

**GAMING CONTROL ACT, 1992**

Made: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 281/07

(Lotteries)

Note: Ontario Regulation 281/07 has not previously been amended.

**1. Section 9 of Ontario Regulation 281/07 is amended by adding the following subsection:**

(4) Despite subsection (3), the registration of a lottery retailer shall terminate if the retailer's contract with the Ontario Lottery and Gaming Corporation that authorizes the retailer to sell lottery tickets to the public is terminated.

**2. Subsection 11 (1) of the Regulation is revoked and the following substituted:****Certificates**

(1) Every lottery retailer registered under this Regulation shall ensure that the retailer's certificate of registration or a copy of the certificate is prominently displayed at the business premises identified in the retailer's registration or is kept in a place that the Registrar approves where the document is immediately available for inspection.

**3. Section 16 of the Regulation is amended by adding the following subsection:**

(1.1) A lottery equipment supplier is exempt from subsection (1) with respect to the installation, maintenance or repair of lottery equipment that is an on-line terminal, electronic ticket checker or similar equipment if the work is done at the premises of a lottery retailer or at the premises of the Ontario Lottery and Gaming Corporation.

**4. This Regulation comes into force on the day it is filed.**

6/08

**ONTARIO REGULATION 12/08**

made under the

**ALCOHOL AND GAMING REGULATION AND PUBLIC PROTECTION ACT, 1996**

Made: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 282/07

(Prescribed Legislation: Monetary Penalties under Section 14.1 of the Act)

Note: Ontario Regulation 282/07 has not previously been amended.

**1. Subsection 1 (1) of Ontario Regulation 282/07 is amended by adding the following paragraphs:****1.1 The following regulations made under the *Gaming Control Act, 1992*:**

- i. Ontario Regulation 385/99 (Games of Chance Conducted and Managed by the Ontario Lottery and Gaming Corporation),
- ii. Ontario Regulation 197/95 (General — Games of Chance Held under a Licence),
- iii. Ontario Regulation 281/07 (Lotteries),



- iv. Ontario Regulation 68/94 (Registration of Suppliers and Gaming Assistants — Games of Chance Held under a Licence).

. . . . .

3. The following regulations made under the *Liquor Licence Act*:

- i. Ontario Regulation 58/00 (Ferment on Premise Facilities),
- ii. Regulation 718 of the Revised Regulations of Ontario, 1990 (General),
- iii. Regulation 719 of the Revised Regulations of Ontario, 1990 (Licences to Sell Liquor),
- iv. Regulation 720 of the Revised Regulations of Ontario, 1990 (Manufacturers' Licences).

**2. This Regulation comes into force on the day it is filed.**

6/08

## ONTARIO REGULATION 13/08

made under the

### DENTAL HYGIENE ACT, 1991

Made: November 27, 2007

Approved: January 22, 2008

Filed: January 24, 2008

Published on e-Laws: January 25, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 218/94  
(General)

Note: Ontario Regulation 218/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview, which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Sections 13 and 14 of Ontario Regulation 218/94 are revoked and the following substituted:**

**13. (1)** The Registrar shall ensure that notice is given in accordance with this Part with respect to each of the following that is required to be open to the public under the Act:

- 1. A meeting of the Council.
- 2. A hearing of the Discipline Committee respecting allegations of a member's professional misconduct or incompetence.
- (2) The notice must, where possible, be posted not less than 14 days before the date of the meeting or hearing on the website of the College.
- (3) The notice must be published in English and in French.
- (4) The notice must include,
  - (a) the date, time and location of the meeting or hearing;
  - (b) a statement of the purpose of the meeting or hearing including, in the case of a hearing, the name of the member against whom the allegations have been made and the member's principal place of practice; and
  - (c) an address and telephone number at which further information about the meeting or hearing may be obtained.
- (5) The Registrar shall give notice of a meeting or hearing that is open to the public to every person who requests it.
- (6) No meeting or hearing is invalid simply because a person has not complied with a requirement of this Part.

**2. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO:

CATHIE MAZAL-KUULA  
*President*

FRAN RICHARDSON  
*Registrar*

Date made: November 27, 2007.

6/08

**ONTARIO REGULATION 14/08**  
made under the  
**HOMES FOR SPECIAL CARE ACT**

Made: January 22, 2008  
Filed: January 25, 2008  
Published on e-Laws: January 25, 2008  
Printed in *The Ontario Gazette*: February 9, 2008

Amending Reg. 636 of R.R.O. 1990  
(General)

Note: Regulation 636 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 33 of Regulation 636 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**33.** A person with a serious mental illness may be admitted to a home for special care upon his or her application, the application of a guardian of the person duly appointed under the *Substitute Decisions Act, 1992*, the application of a person acting under a valid power of attorney for personal care or the application of a lawfully authorized substitute decision-maker, if, immediately before the admission, the person has been assessed and considered eligible for placement by a member of the Homes for Special Care staff of,

- (a) Centre for Addiction and Mental Health;
- (b) Mental Health Centre Penetanguishene;
- (c) Northeast Mental Health Centre;
- (d) Providence Continuing Care Centre;
- (e) Royal Ottawa Health Care Group;
- (f) St. Joseph's Care Group;
- (g) St. Joseph's Health Care, London;
- (h) St. Joseph's Health System; or
- (i) Whitby Mental Health Centre.

**2. (1) Subsection 43 (1) of the Regulation is revoked and the following substituted:**

(1) If a resident in a home for special care is unable to pay for his or her care and maintenance, the Minister may pay to the licensee of the home,

- (a) \$1,396.13 for each full month the resident receives care and maintenance in the home; and
- (b) for the time that does not constitute a full month that the resident receives care and maintenance in the home, \$45.90 per day.

**(2) Subsection 43 (1) of the Regulation is revoked and the following substituted:**

(1) If a resident in a home for special care is unable to pay for his or her care and maintenance, the Minister may pay to the licensee of the home,

- (a) \$1,424.11 for each full month the resident receives care and maintenance in the home; and
- (b) for the time that does not constitute a full month that the resident receives care and maintenance in the home, \$46.82 per day.

**(3) Subsection 43 (1) of the Regulation is revoked and the following substituted:**

(1) If a resident in a home for special care is unable to pay for his or her care and maintenance, the Minister may pay to the licensee of the home,

- (a) \$1,452.70 for each full month the resident receives care and maintenance in the home; and
- (b) for the time that does not constitute a full month that the resident receives care and maintenance in the home, \$47.76 per day.

**(4) Subsection 43 (10) of the Regulation is revoked and the following substituted:**

(10) Subject to subsection (13), a resident who is 18 years of age or older and who has income shall be liable for payment made on his or her behalf under subsection (1).

3. (1) Subject to subsections (2) and (3), this Regulation comes into force on February 1, 2008.

(2) Subsection 2 (2) comes into force on April 1, 2008.

(3) Subsection 2 (3) comes into force on April 1, 2009.

6/08

## ONTARIO REGULATION 15/08

made under the

### PLANNING ACT

Made: January 24, 2008

Filed: January 25, 2008

Published on e-Laws: January 28, 2008

Printed in *The Ontario Gazette*: February 9, 2008

Amending O. Reg. 221/07

(Community Improvement Plans — Prescribed Upper-Tier Municipalities)

Note: Ontario Regulation 221/07 has not previously been amended.

1. Section 1 of Ontario Regulation 221/07 is amended by adding the following paragraph:

5. Regional Municipality of Halton.

2. This Regulation comes into force on the day it is filed.



**RÈGLEMENT DE L'ONTARIO 15/08**

pris en application de la

**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 24 janvier 2008

déposé le 25 janvier 2008

publié sur le site Lois-en-ligne le 28 janvier 2008

imprimé dans la *Gazette de l'Ontario* le 9 février 2008

modifiant le Règl. de l'Ont. 221/07

(Plans d'améliorations communautaires — municipalités de palier supérieur prescrites)

Remarque : Le Règlement de l'Ontario 221/07 n'a pas été modifié antérieurement.

**1. L'article 1 du Règlement de l'Ontario 221/07 est modifié par adjonction de la disposition suivante :**

5. La municipalité régionale de Halton.

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:

Pris par :

*Le ministre des Affaires municipales et du Logement,*

JIM WATSON

*Minister of Municipal Affairs and Housing*

Date made: January 24, 2008.

Pris le : 24 janvier 2008.

6/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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de la Loi de 2006 sur la législation**

2008—02—23

**ONTARIO REGULATION 16/08**

made under the

**ONTARIO ENERGY BOARD ACT, 1998**

Made: January 22, 2008

Filed: February 4, 2008

Published on e-Laws: February 4, 2008

Printed in *The Ontario Gazette*: February 23, 2008

**ASSESSMENT OF EXPENSES AND EXPENDITURES**

**Class of persons liable for Board expenses and expenditures**

1. The following persons or classes of persons are liable for the purpose of subsection 26 (1) of the Act to pay an assessment with respect to expenses incurred and expenditures made by the Board:

1. Distributors that are licensed under Part V of the Act.
2. Transmitters that are licensed under Part V of the Act.
3. Gas transmitters, gas distributors and storage companies that are subject to section 36 of the Act.
4. The IESO.
5. The OPA.
6. Ontario Power Generation.

**Fiscal year**

2. Section 1 applies in respect of the Board's fiscal year, which commences on April 1, 2008 and ends on March 31, 2009.

**Revocation**

3. Ontario Regulation 130/07 is revoked.

**Commencement**

4. This Regulation comes into force on April 1, 2008.

8/08

**ONTARIO REGULATION 17/08**

made under the

**PLANNING ACT**

Made: February 5, 2008

Filed: February 5, 2008

Published on e-Laws: February 6, 2008

Printed in *The Ontario Gazette*: February 23, 2008

Amending O. Reg. 699/98

(Order under Subsection 17 (10) of the Act)

Note: Ontario Regulation 699/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Ontario Regulation 699/98 is amended by adding the following section:

2. (1) The Council of the County of Grey is authorized to pass a by-law,
- (a) exempting any or all proposed official plan amendments of the City of Owen Sound from the Council's approval under section 17 of the Act; and
  - (b) exempting a proposed official plan amendment of the City of Owen Sound from the Council's approval under section 17 of the Act.
- (2) The authorization is subject to the following conditions:
- 1. The City of Owen Sound shall provide a copy of the proposed official plan amendment to the Minister during consultation under clause 17 (15) (a) of the Act.
  - 2. A copy of the adopted plan shall be forwarded to the Minister at the same time that notice is given under clause 17 (23) (a) of the Act.
- (3) The authorization is not terminated because the City of Owen Sound does not meet a condition set out in subsection (2).
- 2. This Regulation comes into force on the day it is filed.**

Made by:

DANA RICHARDSON  
*Assistant Deputy Minister*  
*Local Government and Planning Policy Division*

Date made: February 5, 2008.

8/08

## ONTARIO REGULATION 18/08

made under the

### HIGHWAY TRAFFIC ACT

Made: January 29, 2008  
Filed: February 8, 2008  
Published on e-Laws: February 11, 2008  
Printed in *The Ontario Gazette*: February 23, 2008

Amending Reg. 598 of R.R.O. 1990  
(Gross Weight on Bridges)

Note: Regulation 598 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Regulation 598 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

1. No person shall move a vehicle or combination of vehicles on, over or upon a bridge described in Column 1 of Schedule 1, 2 or 3.2 if the gross weight of the vehicle or combination of vehicles is greater than the weight in tonnes set opposite in Column 2.

**2. Schedule 3 to the Regulation is revoked.**

**3. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: January 29, 2008.

8/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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de la Loi de 2006 sur la législation**

2008—03—01

**ONTARIO REGULATION 19/08**

made under the

**INDEPENDENT HEALTH FACILITIES ACT**

Made: January 22, 2008

Filed: February 11, 2008

Published on e-Laws: February 11, 2008

Printed in *The Ontario Gazette*: March 1, 2008

Amending O. Reg. 57/92

(General)

Note: Ontario Regulation 57/92 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 57/92 is amended by adding the following section:**

**15.1 (1)** For the purposes of subsection 6 (3) of the Act, and subject to any power that the Director may exercise under the Act with respect to the licence, every licence that authorizes the performance of radiography services also authorizes the licensee to provide, in the facility where the licensee is authorized to provide radiography services, therapeutically necessary radiography, other than interpretation of images, ordered by a member of the College of Chiropractors of Ontario, as provided for in the designation made by the Minister under subsection 4 (2) of the Act that is available through the website of the Ministry, as long as the licensee complies with all other applicable legislation and standards.

(2) For greater certainty, every person who holds a licence to which subsection (1) applies is exempt from applying under section 8 of the Act in order to add therapeutically necessary radiography ordered by a member of the College of Chiropractors of Ontario to the list of services in respect of which the person is licensed.

**2. This Regulation comes into force the day it is filed.**

9/08

**ONTARIO REGULATION 20/08**

made under the

**FARM PRODUCTS MARKETING ACT**

Made: February 7, 2008

Filed: February 13, 2008

Published on e-Laws: February 14, 2008

Printed in *The Ontario Gazette*: March 1, 2008

Amending Reg. 437 of R.R.O. 1990

(Turkeys — Marketing)

Note: Regulation 437 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 8 of Regulation 437 of the Revised Regulations of Ontario, 1990 is amended by adding the following clauses:**

- (a.1) prescribing or providing for classes of licences and the imposition of terms and conditions on any class of licence;
- (a.2) providing that the local board may impose terms and conditions upon a licence;
- (2) Clause 8 (b) of the Regulation is revoked and the following substituted:**
- (b) prohibiting persons from engaging in the producing, marketing or processing of turkeys except under the authority of a licence and except in compliance with the terms and conditions of the licence;
- 2. This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 20/08

pris en application de la

### LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 7 février 2008  
 déposé le 13 février 2008  
 publié sur le site Lois-en-ligne le 14 février 2008  
 imprimé dans la *Gazette de l'Ontario* le 1<sup>er</sup> mars 2008

modifiant le Règl. 437 des R.R.O. de 1990  
 (Dindons — Commercialisation)

Remarque : Le Règlement 437 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) L'article 8 du Règlement 437 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des alinéas suivants :**

- a.1) prescrire ou prévoir des catégories de permis et les conditions assorties à chacune d'elles;
- a.2) prévoir que la commission locale puisse assortir le permis de conditions;

**(2) L'alinéa 8 b) du Règlement est abrogé et remplacé par ce qui suit :**

- b) interdire à quiconque de se livrer à la production, à la commercialisation ou à la transformation de dindons si ce n'est en vertu d'un permis et conformément aux conditions dont il est assorti;

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:  
 Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:  
 COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Date made: February 7, 2008.  
 Pris le : 7 février 2008.

**ONTARIO REGULATION 21/08**

made under the

**MILK ACT**

Made: February 6, 2008

Filed: February 13, 2008

Published on e-Laws: February 14, 2008

Printed in *The Ontario Gazette*: March 1, 2008

Amending Reg. 753 of R.R.O. 1990

(Grades, Standards, Designations, Classes, Packing and Marking)

Note: Regulation 753 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) The table to subsection 11 (4) of Regulation 753 of the Revised Regulations of Ontario, 1990 is amended by striking out,

2	Milk used to process sour cream, yogourt, frozen yogourt, beverage yogourt, yogourt shake, ice cream, ice cream mix, ice milk, ice milk mix, sherbet, sherbet mix, frozen dairy dessert, milk shake, milk shake mix, kefir, infant formula, meal replacements, fudge, soup mixes or Indian sweets
---	---

and substituting,

2	Milk used to process sour cream, yogourt, frozen yogourt, beverage yogourt, yogourt shake, ice cream, ice cream mix, ice milk, ice milk mix, sherbet, sherbet mix, frozen dairy dessert, milk shake, milk shake mix, kefir, fudge, soup mixes or Indian sweets
---	--

(2) The table to subsection 11 (4) of the Regulation is amended by striking out,

4a1	Milk used to process either of rennet casein (dry or curd) or milk protein concentrate to be used in making an unstandardized processed cheese type product
-----	---

and substituting,

4a1	Milk used to process infant food formulations, meal replacement products, medical recovery drinks, sport recovery drinks or weight/muscle gain formulations
	Milk used to process either of rennet casein (dry or curd) or milk protein concentrate to be used in making an unstandardized processed cheese type product

2. This Regulation comes into force on the day it is filed.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE  
Chair

GLORIA MARCO BORYS  
Secretary

Date made: February 6, 2008.

9/08

**ONTARIO REGULATION 22/08**

made under the

**DEVELOPMENT CORPORATIONS ACT**

Made: February 13, 2008

Filed: February 15, 2008

Published on e-Laws: February 15, 2008

Printed in *The Ontario Gazette*: March 1, 2008

Revoking O. Reg. 592/99

(Ontario Superbuild Corporation)

Note: Ontario Regulation 592/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 592/99 is revoked.**

9/08

**ONTARIO REGULATION 23/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

Made: February 13, 2008

Filed: February 15, 2008

Published on e-Laws: February 15, 2008

Printed in *The Ontario Gazette*: March 1, 2008

Amending O. Reg. 409/07

(Mortgage Brokers and Agents: Licensing)

Note: Ontario Regulation 409/07 has not previously been amended.

**1. Section 3 of Ontario Regulation 409/07 is amended by adding the following subsection:**

(2) Subsection (1) does not apply if the individual was required, as a condition of the prior licence, to successfully complete an education program by a specified date and the individual did not do so.

**2. Section 6 of the Regulation is amended by adding the following subsection:**

(2) Subsection (1) does not apply if the individual was required, as a condition of the prior licence, to successfully complete an education program by a specified date and the individual did not do so.

**3. Subsection 7 (1) of the Regulation is amended by striking out “both” in the portion before paragraph 1 and substituting “all”.**

**4. Section 9 of the Regulation is amended by adding the following subsection:**

(2) Despite subsection (1), an individual's licence cannot be renewed if the individual was required, as a condition of the previous licence, to successfully complete an education program by a specified date and the individual did not do so.

**5. Clause 15 (3) (c) of the Regulation is revoked and the following substituted:**

(c) if the individual undertakes, as a condition of his or her licence, to successfully complete an approved education program for mortgage agents before July 1, 2009.

**6. This Regulation comes into force on March 1, 2008.**

9/08



**ONTARIO REGULATION 24/08**

made under the

**COLLECTION AGENCIES ACT**

Made: February 13, 2008

Filed: February 15, 2008

Published on e-Laws: February 15, 2008

Printed in *The Ontario Gazette*: March 1, 2008Amending Reg. 74 of R.R.O. 1990  
(General)

Note: Regulation 74 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Clause 6 (b) of Regulation 74 of the Revised Regulations of Ontario, 1990 is amended by striking out “*Bankruptcy Act (Canada)*” and substituting “*Bankruptcy and Insolvency Act (Canada)*”.

2. Section 8 of the Regulation is revoked and the following substituted:

8. If the Crown in right of Ontario becomes a creditor of a person in respect of a debt to the Crown arising from section 6, the Registrar may take the proceedings that he or she sees fit under the *Bankruptcy and Insolvency Act (Canada)*, the *Courts of Justice Act*, the *Corporations Act* or the *Winding-up and Restructuring Act (Canada)* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator, as the case may be.

3. The following provisions of the Regulation are amended by striking out “*Public Accountancy Act*” wherever that expression appears and substituting in each case “*Public Accounting Act, 2004*”:

1. Subsection 13 (5).

2. Subsection 13 (6).

4. The Regulation is amended by adding the following section:

19.2 The Act does not apply to an authorized foreign bank within the meaning of section 2 of the *Bank Act (Canada)*.

5. Paragraphs 3 and 9 of subsection 22 (7) of the Regulation are revoked.

6. This Regulation comes into force on the day it is filed.

9/08

**ONTARIO REGULATION 25/08**

made under the

**LABORATORY AND SPECIMEN COLLECTION CENTRE LICENSING ACT**

Made: February 13, 2008

Filed: February 15, 2008

Published on e-Laws: February 19, 2008

Printed in *The Ontario Gazette*: March 1, 2008Amending Reg. 682 of R.R.O. 1990  
(Laboratories)

Note: Regulation 682 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Section 3 of Regulation 682 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(5) The operator of a licensed laboratory shall post the accreditation certificate issued by the agency designated under section 14 in a conspicuous place in the laboratory.

**2. Paragraph 6 of subsection 4 (1) of the Regulation is revoked and the following substituted:**

6. That the Newborn Screening Test for amino acidopathies, fatty acid oxidation defects, organic acidemias, endocrinopathies, hemoglobinopathies, biotinidase, galactosemia or cystic fibrosis not be performed if the person requesting the test indicates that the test is for newborn screening.

**3. Paragraphs 8 and 36 of Appendix B to the Regulation are revoked and the following substituted:**

8. Newborn Screening Test for amino acidopathies, fatty acid oxidation defects, organic acidemias, endocrinopathies, hemoglobinopathies, biotinidase, galactosemia or cystic fibrosis.

36. Serology HIV Antibody.

**4. Paragraph 107 of Appendix C to the Regulation is revoked and the following substituted:**

107. Newborn Screening Test for amino acidopathies, fatty acid oxidation defects, organic acidemias, endocrinopathies, hemoglobinopathies, biotinidase, galactosemia or cystic fibrosis.

**5. This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 25/08

pris en application de la

### LOI AUTORISANT DES LABORATOIRES MÉDICAUX ET DES CENTRES DE PRÉLÈVEMENT

pris le 13 février 2008

déposé le 15 février 2008

publié sur le site Lois-en-ligne le 19 février 2008

imprimé dans la *Gazette de l'Ontario* le 1<sup>er</sup> mars 2008

modifiant le Règl. 682 des R.R.O. de 1990

(Laboratoires)

Remarque : Le Règlement 682 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 3 du Règlement 682 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction du paragraphe suivant :**

(5) L'exploitant d'un laboratoire titulaire d'un permis doit afficher bien en évidence dans le laboratoire le certificat d'agrément délivré par l'organisme désigné en vertu de l'article 14.

**2. La disposition 6 du paragraphe 4 (1) du Règlement est abrogée et remplacée par ce qui suit :**

6. Il est interdit d'effectuer le test de dépistage chez le nouveau-né de troubles des acides aminés, de l'oxydation des acides gras et des acides organiques, d'endocrinopathies, d'hémoglobinopathies, de déficience de la biotinidase, de la galactosémie ou de la fibrose kystique, si la personne qui demande le test précise que ce dernier a pour but le dépistage de maladies chez le nouveau-né.

**3. Les dispositions 8 et 36 de l'annexe B du Règlement sont abrogées et remplacées par ce qui suit :**

8. Test de dépistage chez le nouveau-né de troubles des acides aminés, de l'oxydation des acides gras et des acides organiques, d'endocrinopathies, d'hémoglobinopathies, de déficience de la biotinidase, de la galactosémie ou de la fibrose kystique.

36. Sérologie, anticorps anti-VIH.

**4. La disposition 107 de l'annexe C du Règlement est abrogée et remplacée par ce qui suit :**

107. Test de dépistage chez le nouveau-né de troubles des acides aminés, de l'oxydation des acides gras et des acides organiques, d'endocrinopathies, d'hémoglobinopathies, de déficience de la biotinidase, de la galactosémie ou de la fibrose kystique.

**5. Le présent règlement entre en vigueur le jour de son dépôt.**



**ONTARIO REGULATION 26/08**

made under the

**HEALTH INSURANCE ACT**

Made: February 13, 2008

Filed: February 15, 2008

Published on e-Laws: February 19, 2008

Printed in *The Ontario Gazette*: March 1, 2008Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The definition of “schedule of laboratory benefits” in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

5. The Ministry of Health and Long-Term Care document titled “Addendum Dated December 17, 2007 (Effective as of March 1, 2008) to the Schedule of Benefits for Laboratory Services”;

2. Item 45.1 of Schedule 22 to the Regulation is revoked and the following substituted:

45.1	L022	Newborn Screening Test for: Amino acidopathies - Fatty acid oxidation defects - Organic acidemias - Endocrinopathies - Hemoglobinopathies - Biotinidase - Galactosemia - Cystic fibrosis
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3. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 1 comes into force on March 1, 2008.

9/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—03—08

**ONTARIO REGULATION 27/08**

made under the

**ONTARIO ENERGY BOARD ACT, 1998**

Made: February 13, 2008  
Filed: February 19, 2008  
Published on e-Laws: February 20, 2008  
Printed in *The Ontario Gazette*: March 8, 2008

Amending O. Reg. 53/05  
(Payments under Section 78.1 of the Act)

Note: Ontario Regulation 53/05 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 53/05 is amended by adding the following sections:**

**Nuclear development deferral account, transition**

**5.3 (1)** Ontario Power Generation Inc. shall establish a deferral account in connection with section 78.1 of the Act that records, for the period up to the effective date of the Board's first order under section 78.1 of the Act, the costs incurred and firm financial commitments made on or after June 13, 2006, in the course of planning and preparation for the development of proposed new nuclear generation facilities that are associated with any one or more of the following activities:

1. Activities for carrying out an environmental assessment under the *Canadian Environmental Assessment Act*.
2. Activities for obtaining any governmental licence, authorization, permit or other approval.
3. Activities for carrying out a technology assessment or for defining all commercial and technical requirements to, or with, any third parties.

**(2)** Ontario Power Generation Inc. shall record simple interest on the monthly opening balance of the account at an annual rate of 6 per cent applied to the monthly opening balance in the account, compounded annually.

**Nuclear development variance account**

**5.4 (1)** Ontario Power Generation Inc. shall establish a variance account in connection with section 78.1 of the Act that records, on and after the effective date of the Board's first order under section 78.1 of the Act, differences between actual non-capital costs incurred and firm financial commitments made and the amount included in payments made under that section for planning and preparation for the development of proposed new nuclear generation facilities.

**(2)** Ontario Power Generation Inc. shall record interest on the balance of the account as the Board may direct.

**2. Subsection 6 (2) of the Regulation is amended by adding the following paragraphs:**

**4.1** The Board shall ensure that Ontario Power Generation Inc. recovers the costs incurred and firm financial commitments made in the course of planning and preparation for the development of proposed new nuclear generation facilities, to the extent the Board is satisfied that,

- i. the costs were prudently incurred, and
- ii. the financial commitments were prudently made.

**7.1** The Board shall ensure the balances recorded in the deferral account established under subsection 5.3 (1) and the variance account established under subsection 5.4 (1) are recovered on a straight line basis over a period not to exceed three years, to the extent the Board is satisfied that,

- i. the costs were prudently incurred, and

ii. the financial commitments were prudently made.

**3. This Regulation comes into force on the day it is filed.**

10/08

## ONTARIO REGULATION 28/08

made under the

### WASTE DIVERSION ACT, 2002

Made: February 20, 2008

Filed: February 20, 2008

Published on e-Laws: February 21, 2008

Printed in *The Ontario Gazette*: March 8, 2008

Amending O. Reg. 542/06

(Municipal Hazardous or Special Waste)

Note: Ontario Regulation 542/06 has not previously been amended.

**1. Ontario Regulation 542/06 is amended by adding the following section:**

#### Industry funding organization

**3.** Stewardship Ontario is designated as the industry funding organization for the waste diversion program for municipal hazardous or special waste approved by the Minister under section 26 of the Act.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JOHN PHILIP GERRETSEN  
*Minister of the Environment*

Date made: February 20, 2008.

10/08

## ONTARIO REGULATION 29/08

made under the

### EDUCATION ACT

Made: January 31, 2008

Approved: February 13, 2008

Filed: February 21, 2008

Published on e-Laws: February 21, 2008

Printed in *The Ontario Gazette*: March 8, 2008

Amending Reg. 298 of R.R.O. 1990

(Operation of Schools — General)

Note: Regulation 298 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 19 (1) of Regulation 298 of the Revised Regulations of Ontario, 1990 is amended by striking out the portion before clause (a) and substituting the following:**



(1) No person shall be a teacher in a school unless he or she,

(2) Subsection 19 (3) of the Regulation is revoked.

(3) Subclause 19 (14) (c) (vi) of the Regulation is revoked and the following substituted:

(vi) in a class for pupils who are deaf, hard of hearing or blind or who have limited vision, or

(4) Clause 19 (14) (e) of the Regulation is revoked and the following substituted:

(e) the teacher is deemed under subsection (17) to be qualified for such assignment, appointment or placement.

(5) Subsection 19 (15) of the Regulation is revoked and the following substituted:

(15) On or after September 1, 1982, no teacher shall be assigned or appointed to teach courses in the senior division in technological studies unless the teacher's certificate of qualification indicates qualifications for Grades 11 and 12 in the area of technological studies to which the teacher is to be assigned or appointed.

2. Subsection 21 (2) of the Regulation is revoked and the following substituted:

(2) A person appointed under subsection (1) shall be 18 years of age or older and hold an Ontario secondary school diploma, a secondary school graduation diploma or a secondary school honour graduation diploma, or an equivalent to any of them.

3. Section 22 of the Regulation is revoked and the following substituted:

#### CANCELLED, REVOKED AND SUSPENDED CERTIFICATES

22. (1) A board shall not appoint a person to teach under section 21 or in accordance with a Letter of Permission if the individual is or has ever been a member of the Ontario College of Teachers.

(2) A board shall not appoint a person to teach under section 21 or in accordance with a Letter of Permission unless the person has provided to the board a written statement that any teaching certificate or licence granted to him or her by another jurisdiction is not cancelled, suspended or revoked for any reason other than for failure to pay fees or levies to the governing body.

(3) A person whose teaching certificate is cancelled, revoked or suspended shall not be appointed as a teacher.

4. The French version of clause 31 (c) of the Regulation is amended by striking out "durs d'oreille, amblyopes" and substituting "malentendants, ayant une vision partielle".

5. This Regulation comes into force on the day it is filed.

### RÈGLEMENT DE L'ONTARIO 29/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 31 janvier 2008

approuvé le 13 février 2008

déposé le 21 février 2008

publié sur le site Lois-en-ligne le 21 février 2008

imprimé dans la *Gazette de l'Ontario* le 8 mars 2008

modifiant le Règl. 298 des R.R.O. de 1990

(Fonctionnement des écoles — dispositions générales)

Remarque: Le Règlement 298 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. (1) Le paragraphe 19 (1) du Règlement 298 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1) Nul ne doit être enseignant dans une école sans :

(2) Le paragraphe 19 (3) du Règlement est abrogé.



**(3) Le sous-alinéa 19 (14) c) (vi) du Règlement est abrogé et remplacé par ce qui suit :**

(vi) une classe destinée aux élèves sourds, malentendants, aveugles ou ayant une vision partielle,

**(4) L'alinéa 19 (14) e) du Règlement est abrogé et remplacé par ce qui suit :**

e) il ne soit réputé, en application du paragraphe (17), posséder la qualification requise pour être ainsi chargé d'enseigner ou pour ainsi assumer cette responsabilité.

**(5) Le paragraphe 19 (15) du Règlement est abrogé et remplacé par ce qui suit :**

(15) À compter du 1<sup>er</sup> septembre 1982, aucun enseignant ne doit être chargé d'enseigner au cycle supérieur dans le domaine des études technologiques, à moins que son certificat de compétence n'indique une qualification en 11<sup>e</sup> et 12<sup>e</sup> années dans le domaine des études technologiques où il est appelé à enseigner.

**2. Le paragraphe 21 (2) du Règlement est abrogé et remplacé par ce qui suit :**

(2) La personne nommée en vertu du paragraphe (1) doit avoir au moins 18 ans et détenir un diplôme d'études secondaires de l'Ontario, un diplôme d'études secondaires ou un diplôme d'études secondaires supérieures, ou l'équivalent de l'un ou l'autre de ces diplômes.

**3. L'article 22 du Règlement est abrogé et remplacé par ce qui suit :**

**BREVETS ANNULÉS, RÉVOQUÉS OU SUSPENDUS**

**22. (1)** Le conseil ne doit pas nommer une personne qui est membre ou qui a déjà été membre de l'Ordre des enseignantes et des enseignants de l'Ontario pour enseigner en vertu de l'article 21 ou conformément à une permission intérimaire.

(2) Le conseil ne doit pas nommer une personne pour enseigner en vertu de l'article 21 ou conformément à une permission intérimaire à moins que celle-ci ne lui ait fourni une déclaration écrite selon laquelle tout brevet d'enseignement ou autre permis d'enseigner que lui a accordé une autre autorité législative n'est pas annulé, révoqué ou suspendu pour un motif autre que le non-versement des droits ou cotisations au corps dirigeant.

(3) La personne dont le brevet d'enseignement est annulé, révoqué ou suspendu ne doit pas être nommée enseignant.

**4. La version française de l'alinéa 31 c) du Règlement est modifiée par substitution de «malentendants, ayant une vision partielle» à «durs d'oreille, amblyopes».**

**5. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:  
Pris par :

*La ministre de l'Éducation,*

**KATHLEEN O'DAY WYNNE**  
*Minister of Education*

Date made: January 31, 2008.  
Pris le : 31 janvier 2008.

10/08

**ONTARIO REGULATION 30/08**  
made under the  
**ONTARIO COLLEGE OF TEACHERS ACT, 1996**

Made: December 5, 2007  
Approved: February 13, 2008  
Filed: February 21, 2008  
Published on e-Laws: February 21, 2008  
Printed in *The Ontario Gazette*: March 8, 2008

Amending O. Reg. 184/97  
(Teachers Qualifications)

Note: Ontario Regulation 184/97 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Clause 31 (a) of Ontario Regulation 184/97 is revoked and the following substituted:**

- (a) holds or has been recommended by the dean or the director for a certificate of qualification, an interim certificate of qualification, a certificate of qualification (restricted) or an interim certificate of qualification (limited);

**2. Clause 32 (1) (a) of the Regulation is revoked and the following substituted:**

- (a) holds or has been recommended by the dean or the director for a certificate of qualification, an interim certificate of qualification or an interim certificate of qualification (limited);

**3. Clause 33 (a) of the Regulation is revoked and the following substituted:**

- (a) holds or has been recommended by the dean or the director for a certificate of qualification, an interim certificate of qualification, a certificate of qualification (restricted) or an interim certificate of qualification (limited); and

**4. Clause 34 (a) of the Regulation is revoked and the following substituted:**

- (a) holds a certificate of qualification, an interim certificate of qualification or an interim certificate of qualification (limited);

**5. Clause 35 (a) of the Regulation is revoked and the following substituted:**

- (a) holds or is deemed to hold a certificate of qualification, an interim certificate of qualification or an interim certificate of qualification (limited);

**6. Clause 40 (4) (d) of the Regulation is revoked and the following substituted:**

- (d) holds a Secondary School Honour Graduation Diploma or an Ontario Secondary School Diploma or has successfully completed the equivalent of one year's full-time study in a program in respect of which a Secondary School Graduation Diploma or its equivalent was required for admission; and

**7. This Regulation comes into force on the day it is filed.**

Made by:

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:

DON CATTANI  
*Chair of Council*

BRIAN P. MCGOWAN  
*Registrar and Chief Executive Officer*

Date made: December 5, 2007.

**ONTARIO REGULATION 31/08**

made under the

**SECURITIES ACT**

Made: November 29, 2007

Approved: February 15, 2008

Filed: February 21, 2008

Published on e-Laws: February 22, 2008

Printed in *The Ontario Gazette*: March 8, 2008Amending Reg. 1015 of R.R.O. 1990  
(General)

Note: Regulation 1015 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Sections 44, 54 and 237 of Regulation 1015 of the Revised Regulations of Ontario, 1990 are revoked.
2. Forms 15 and 45 of the Regulation are revoked.
3. This Regulation comes into force on the day that the rule made by the Ontario Securities Commission on November 29, 2007 entitled “National Instrument 41-101 *General Prospectus Requirements*” comes into force.

Made by:

ONTARIO SECURITIES COMMISSION:

LAWRENCE E. RITCHIE  
*Vice-Chair*JAMES E.A. TURNER  
*Vice-Chair*

Date made: November 29, 2007.

I approve this Regulation.

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date approved: February 15, 2008.

**Note:** The rule made by the Ontario Securities Commission on November 29, 2007 entitled “National Instrument 41-101 *General Prospectus Requirements*” comes into force on March 17, 2008.

10/08

**ONTARIO REGULATION 32/08**

made under the

**HUMAN RIGHTS CODE**

Made: February 13, 2008  
 Filed: February 21, 2008  
 Published on e-Laws: February 22, 2008  
 Printed in *The Ontario Gazette*: March 8, 2008

**TRANSITIONAL MATTERS****Chair to act as board of Centre**

1. The Chair of the Human Rights Legal Support Centre who is designated under subsection 45.14 (3) of the Act shall have the powers, duties and functions of the board of directors of the Centre until the commencement of the first board of directors' meeting.

**Commencement**

2. This Regulation comes into force on the day it is filed.

**RÈGLEMENT DE L'ONTARIO 32/08**

pris en application du

**CODE DES DROITS DE LA PERSONNE**

pris le 13 février 2008  
 déposé le 21 février 2008  
 publié sur le site Lois-en-ligne le 22 février 2008  
 imprimé dans la *Gazette de l'Ontario* le 8 mars 2008

**QUESTIONS TRANSITOIRES****Président agissant comme conseil d'administration du Centre**

1. Le président du Centre d'assistance juridique en matière de droits de la personne désigné aux termes du paragraphe 45.14 (3) de la Loi est investi des pouvoirs et fonctions du conseil d'administration du Centre jusqu'au commencement de la première réunion du conseil d'administration.

**Entrée en vigueur**

2. Le présent règlement entre en vigueur le jour de son dépôt.

10/08

**ONTARIO REGULATION 33/08**

made under the

**WASTE DIVERSION ACT, 2002**

Approved: February 21, 2008  
 Made: February 21, 2008  
 Filed: February 21, 2008  
 Published on e-Laws: February 22, 2008  
 Printed in *The Ontario Gazette*: March 8, 2008

**STEWARDSHIP ONTARIO****Stewardship Ontario continued**

1. Stewardship Ontario is continued.



**Composition**

2. (1) Stewardship Ontario is composed of the members of its board of directors.
- (2) The board of directors shall be composed of five members appointed in accordance with section 3 and 10 members elected or appointed in accordance with section 4 or 6.
- (3) Despite subsection (2),
  - (a) the members of the board of directors who hold office immediately before this subsection comes into force, other than the chief executive officer of Stewardship Ontario, continue to hold office, subject to sections 5, 6 and 7, until the first election is conducted under subsection 4 (1); and
  - (b) the person who holds office as the chief executive officer of Stewardship Ontario immediately before this subsection comes into force, continues to hold office as a member of the board of directors as long as he or she holds the office of chief executive officer until the first election is conducted under subsection 4 (1).

**Appointed members**

3. (1) The board of directors shall have one member appointed by each of the following bodies:
  1. Canadian Consumer Specialty Products Association.
  2. Canadian Paint and Coatings Association.
  3. Automotive Industries Association of Canada — Association des industries de l'automobile du Canada.
  4. Retail Council of Canada.
- (2) The board of directors shall have one member jointly appointed by the following bodies:
  1. Spectrum Brands Canada, Inc.
  2. Procter & Gamble Inc.
  3. Energizer Canada Inc.
  4. Panasonic Canada Inc.
- (3) If an appointment is not made under subsection (1) or (2), the chief executive officer of Stewardship Ontario may appoint an individual as a member of the board of directors.
- (4) A member appointed under subsection (3) shall hold office until the appointment is made under subsection (1) or (2).
- (5) An appointment under subsection (1), (2) or (3) does not take effect until the first election is conducted under subsection 4 (1).

**Elected members**

4. (1) An election shall be conducted for the purpose of this Regulation at the 2008 general meeting of Stewardship Ontario called for that purpose, at the 2010 annual meeting and at every second annual meeting thereafter.
- (2) At an election conducted under this section, 10 individuals shall be elected as members of the board of directors.
- (3) An individual elected as a member of the board of directors at an annual meeting shall hold office until the election held at the second annual meeting thereafter.
- (4) An individual elected as a member of the board of directors at the 2008 general meeting shall hold office until the election held at the 2010 annual meeting.
- (5) An individual is entitled to be a candidate in an election conducted under this section if he or she,
  - (a) is a resident of Ontario;
  - (b) is at least 18 years of age; and
  - (c) is nominated as a candidate by,
    - (i) a person who is designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act in respect of blue box waste and who is not in default of payment of fees payable to Stewardship Ontario under section 31 of the Act, or
    - (ii) the board of directors.
- (6) Despite subsection (5), an individual is not entitled to be a candidate if he or she is a bankrupt or has been found by a court to be mentally incapable of managing property.
- (7) The following persons are entitled to vote in an election conducted under this section:



1. Every person who is designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act in respect of blue box waste and who is not in default of payment of fees payable to Stewardship Ontario under section 31 of the Act.
2. Every person who is not designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act but has paid fees to Stewardship Ontario under its by-laws in respect of blue box waste.
- (8) Each person who is entitled to vote in an election conducted under this section is entitled to cast a number of votes equal to the total of the following amounts:
  1. The dollar amount of the fees paid to Stewardship Ontario in the most recently completed fiscal year in respect of the person's obligation to pay fees under section 31 of the Act, rounded to the nearest dollar.
  2. The dollar amount of the fees referred to in paragraph 2 of subsection (7) paid to Stewardship Ontario by the person in the most recently completed fiscal year, rounded to the nearest dollar.
  3. The dollar amount of any payment paid by the person to Stewardship Ontario, other than fees referred to in paragraph 1 or 2, in the most recently completed fiscal year, rounded to the nearest dollar.
- (9) An individual elected as a member of the board of directors whose term of office expires under subsection (3) or (4) is entitled, subject to subsections (5) and (6), to be a candidate in a subsequent election.

#### **Resignation, removal, elected members**

5. (1) An individual elected as a member of the board of directors may resign his or her office by delivering a written letter of resignation to the secretary of Stewardship Ontario.
- (2) An individual elected as a member of the board of directors ceases to hold office if he or she becomes a bankrupt or is found by a court to be mentally incapable of managing property.
- (3) An individual elected as a member of the board of directors may be removed from office by a resolution passed by at least two-thirds of the votes cast at a meeting at which every person referred to in subsection 4 (7) is entitled to cast a number of votes determined in accordance with subsection 4 (8).

#### **Vacancies, elected members**

6. (1) If, pursuant to subsection 5 (3), a vacancy occurs among the members of the board of directors, the vacancy may be filled by electing an individual at an election conducted in accordance with subsections 4 (5) to (8).
- (2) If a vacancy occurs among the elected members of the board of directors and subsection (1) does not apply, the remaining elected members of the board may fill the vacancy by appointing any individual who would be entitled to be a candidate at an election conducted under section 4 if nominated in accordance with clause 4 (5) (c).
- (3) An individual who becomes a member of the board of directors under subsection (1) or (2) shall hold office until the election at which the term of office of the member he or she replaced would have expired under subsection 4 (3) or (4).
- (4) Subsection 4 (9), section 5 and this section apply, with necessary modifications, to an individual who fills a vacancy under subsection (1) or (2).

#### **Alternate members**

7. (1) Each member of the board of directors may appoint an alternate who, in the member's absence, may participate in board meetings and vote on matters before the board.
- (2) An individual may be appointed as an alternate under this section only if he or she,
  - (a) is a resident of Ontario; and
  - (b) is at least 18 years of age.
- (3) Despite subsection (2), an individual shall not be appointed as an alternate if he or she is a bankrupt or has been found by a court to be mentally incapable of managing property.
- (4) Subsection (1) does not apply to the chief executive officer before the first election is conducted under subsection 4 (1).

#### **Application of the *Corporations Act***

8. Section 80 and subsections 283 (4) and (5) of the *Corporations Act* apply, with necessary modifications, to Stewardship Ontario.

#### **Commencement**

9. This Regulation comes into force on the day it is filed.

Approved by:

STEWARDSHIP ONTARIO:

DENNIS DARBY  
*Chairman*

JOYCE BARRETTO  
*Chief Executive Officer*

Date of approval: February 21, 2008.

Made by:

JOHN PHILIP GERRETSEN  
*Minister of the Environment*

Date made: February 21, 2008.

10/08

## ONTARIO REGULATION 34/08

made under the

## WASTE DIVERSION ACT, 2002

Approved: February 21, 2008  
Made: February 21, 2008  
Filed: February 21, 2008  
Published on e-Laws: February 22, 2008  
Printed in *The Ontario Gazette*: March 8, 2008

Amending O. Reg. 273/02  
(Blue Box Waste)

Note: Ontario Regulation 273/02 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

### **1. Section 2 of Ontario Regulation 273/02 is revoked and the following substituted:**

#### **Industry funding organization**

2. Stewardship Ontario is designated as the industry funding organization for the waste diversion program for blue box waste approved by the Minister under section 26 of the Act.

### **2. This Regulation comes into force on the day it is filed.**

Approved by:

STEWARDSHIP ONTARIO:

DENNIS DARBY  
*Chairman*

JOYCE BARRETTO  
*Chief Executive Officer*

Date of approval: February 21, 2008.

Made by:

JOHN PHILIP GERRETSEN  
*Minister of the Environment*

Date made: February 21, 2008.

10/08

## ONTARIO REGULATION 35/08

made under the

### WORKPLACE SAFETY AND INSURANCE ACT, 1997

Made: January 23, 2008  
Approved: February 13, 2008  
Filed: February 22, 2008  
Published on e-Laws: February 25, 2008  
Printed in *The Ontario Gazette*: March 8, 2008

## RETURN TO WORK AND RE-EMPLOYMENT — CONSTRUCTION INDUSTRY

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**PART I  
GENERAL**

**Application**

- 1. (1) This Regulation,
  - (a) applies to employers engaged primarily in construction and to workers who perform construction work, as mentioned in subsections 40 (3) and 41 (8) of the Act; and
  - (b) prescribes the requirements mentioned in subsections 40 (3) and 41 (8) of the Act.
- (2) For greater certainty, this Regulation applies to all employers engaged primarily in construction, whatever the number of workers they employ.

**Definition**

- 2. In this Regulation,
  - “suitable work” means work that,
    - (a) is safe, productive and consistent with a worker’s functional abilities, and
    - (b) when possible, restores a worker’s pre-injury earnings.

**PART II  
RETURN TO WORK**

**Requirements — employer**

- 3. The employer of an injured worker shall co-operate in the early and safe return to work of the worker in accordance with the following requirements:
  - 1. The employer shall contact the worker as soon as possible after the injury occurs and shall maintain appropriate communication throughout the period of the worker’s recovery and impairment.
  - 2. The employer shall attempt to provide suitable work that is available.
  - 3. The employer shall give the Board such information as the Board may request concerning the worker’s return to work.

**Requirements — worker**

- 4. The worker shall co-operate in his or her early and safe return to work in accordance with the following requirements:
  - 1. The worker shall contact the employer as soon as possible after the injury occurs and shall maintain appropriate communication throughout the period of the worker’s recovery and impairment.
  - 2. The worker shall assist the employer, as may be required or requested, to identify suitable work that is available.
  - 3. The worker shall give the Board such information as the Board may request concerning the worker’s return to work.



**PART III**  
**RE-EMPLOYMENT — ALL WORKERS**

**Duration of obligation**

5. The employer is obligated under this Part and under Part IV or V, as the case may be, until the earliest of the following:

1. The second anniversary of the date of injury.
2. One year after the worker is medically able to perform the essential duties of his or her pre-injury employment.
3. The date on which the worker declines an offer from the employer to re-employ the worker in accordance with this Regulation.
4. The date on which the worker reaches 65 years of age.

**Additional basis for determination by Board**

6. (1) The Board may determine the matters set out in paragraphs 1 and 2 of subsection 41 (3) of the Act at the request of the worker or employer.

(2) Subsection (1) applies in addition to subsection 41 (3) of the Act.

(3) When the Board makes a determination under subsection (1) or under subsection 41 (3) of the Act, it shall promptly give the worker and employer written notice of the determination.

**Employer, requirements concerning re-employment**

7. (1) The employer shall comply with the following requirements concerning the re-employment of a worker:

1. The employer shall comply with the requirements of Part IV or Part V, as the case may be.
2. The employer shall accommodate the work or the workplace to the needs of the worker, to the extent that the accommodation does not cause the employer undue hardship.
3. At the request of the worker or the Board, the employer shall give written notice to the worker and to the Board of the particulars of the way in which the employer intends to accommodate the work or the workplace to the needs of the worker under paragraph 2.

(2) Paragraph 2 of subsection (1) does not require the employer to accommodate the workplace to the needs of the worker if the employer does not control the workplace.

**Presumption, non-fulfilment of employer's obligations**

8. (1) Subject to subsection (2), the employer is presumed not to have fulfilled the employer's obligations under this Regulation if the employer re-employs the worker in accordance with this Regulation and then terminates the worker's employment within six months after the date on which the worker was re-employed.

(2) In the case of re-employment at a construction project in accordance with this Regulation, the employer is presumed not to have fulfilled the employer's obligations under this Regulation in each of the following circumstances:

1. The employer re-employs the worker at a construction project and then terminates the worker's employment,
  - i. before his or her work on the construction project is completed, and
  - ii. within six months after the date on which the worker was re-employed.
2. The employer re-employs the worker at a construction project and then terminates the worker's employment when his or her work on the construction project is completed. The employer does not re-employ the worker at the construction project or at another construction project within six months after the date on which the worker was re-employed although,
  - i. the worker is able to perform the essential duties of his or her pre-injury employment, and the pre-injury employment, or employment that is comparable to it, is or becomes available at the construction project or at another construction project, or
  - ii. suitable work is or becomes available at the construction project or at another construction project.

(3) The employer may rebut a presumption established by subsection (1) or by paragraph 1 of subsection (2) by showing that the termination was not related to the injury.

(4) The employer may rebut a presumption established by paragraph 2 of subsection (2) by showing that the failure to re-employ was not related to the injury.

**PART IV  
RE-EMPLOYMENT — UNION WORKERS**

**Application of Part IV**

9. This Part applies if, at the time the worker was injured, the employer was bound by a collective agreement with a union representing the worker.

**Definition**

10. In this Part,

“collective agreement workplace” means,

- (a) a construction project or shop of the worker's employer that is within the trade, sector and geographic jurisdiction covered by the collective agreement that applies to the worker, or
- (b) the workplace where the worker was injured.

**Worker medically able to perform essential duties**

11. (1) This section applies if the employer receives information indicating that the worker is medically able to perform the essential duties of his or her pre-injury employment.

(2) The employer shall offer to re-employ the worker in a position in the worker's trade and classification at a collective agreement workplace, if such a position,

- (a) is available; or
- (b) is occupied by another worker who was hired, assigned or transferred on or after the date on which the worker was injured.

**Worker medically able to perform suitable work in construction**

12. (1) This section applies if the employer receives information indicating that the worker, although unable to perform the essential duties of his or her pre-injury employment, is medically able to perform suitable work in construction.

(2) The employer shall offer to re-employ the worker,

- (a) in a position whose duties consist of suitable work in the worker's trade and classification at a collective agreement workplace, if such a position is available;
- (b) if there is no position described in clause (a), in a position whose duties consist of suitable work in the worker's trade at a collective agreement workplace, if such a position is available;
- (c) if there is no position described in clause (a) or (b), in a position whose duties consist of suitable work in construction at another workplace of the employer, if such a position is available.

**Multiple positions**

13. (1) If more than one position described in subsection 11 (2) or in clause 12 (2) (a), (b) or (c) is available, the employer shall offer to re-employ the worker in the position that is most similar in nature and earnings to the one the worker had at the date of the injury.

(2) If two or more positions are found when subsection (1) is applied, the employer shall have regard to the following factors in deciding in which position to offer to re-employ the worker:

- 1. The duration of each position.
- 2. In the case of a position at a construction project, the duration of the construction project.
- 3. The proximity of each position to the worker's home.

**Worker medically able to perform suitable work other than in construction**

14. (1) This section applies if the employer receives information indicating that the worker, although it is unlikely that he or she will be medically able to perform construction work again, is medically able to perform suitable work other than in construction.

(2) The employer shall offer to re-employ the worker in a position whose duties consist of suitable work other than in construction, if such a position is available.

(3) At the request of the worker or the employer, the Board shall provide the worker with a labour market re-entry assessment and, if the Board determines that it is required, a labour market re-entry plan to facilitate the worker's return to work with the employer.



**PART V**  
**RE-EMPLOYMENT — NON-UNION WORKERS**

**Application of Part V**

15. This Part applies if,

- (a) at the time the worker was injured, the employer was not bound by a collective agreement with a union representing the worker; and
- (b) during the period in which the employer is obligated under Part III and this Part, the employer is still employing workers at the workplace where the worker was injured or at a comparable workplace.

**Worker medically able to perform essential duties**

16. (1) This section applies if the employer receives information indicating that the worker is medically able to perform the essential duties of his or her pre-injury employment.

(2) The employer shall offer to re-employ the worker in a position in the worker's trade,

- (a) at the workplace where the worker was injured, if such a position,
  - (i) is available, or
  - (ii) is occupied by another worker who was hired, assigned or transferred on or after the date on which the worker was injured; or
- (b) at a comparable workplace of the employer, if such a position is available.

**Worker medically able to perform suitable work in construction**

17. (1) This section applies if the employer receives information indicating that the worker, although unable to perform the essential duties of his or her pre-injury employment, is medically able to perform suitable work in construction.

(2) The employer shall offer to re-employ the worker,

- (a) in a position whose duties consist of suitable work in the worker's trade at the workplace where the worker was injured, if such a position is available;
- (b) if there is no position described in clause (a), in a position whose duties consist of suitable work in the worker's trade at a comparable workplace, if such a position is available.

(3) If the employer has no suitable work in the worker's trade available at any workplace but does have suitable work in construction available, the employer shall offer to re-employ the worker,

- (a) in a position whose duties consist of suitable work in construction at the workplace where the worker was injured, if such a position is available;
- (b) if there is no position described in clause (a), in a position whose duties consist of suitable work in construction at a comparable workplace, if such a position is available.

**Multiple positions**

18. (1) If more than one position described in subsection 16 (2), 17 (2) or 17 (3) is available, the employer shall offer to re-employ the worker in the position that is most similar in nature and earnings to the one the worker had at the date of the injury.

(2) If two or more positions are found when subsection (1) is applied, the employer shall have regard to the following factors in deciding in which position to offer to re-employ the worker:

1. The duration of each position.
2. In the case of a position at a construction project, the duration of the construction project.
3. The proximity of each position to the worker's home.

**Worker medically able to perform suitable work other than in construction**

19. (1) This section applies if the employer receives information indicating that the worker, although it is unlikely that he or she will be medically able to perform construction work again, is medically able to perform suitable work other than in construction.

(2) The employer shall offer to re-employ the worker in a position whose duties consist of suitable work other than in construction, if such a position is available.

(3) At the request of the worker or the employer, the Board shall provide the worker with a labour market re-entry assessment and, if the Board determines that it is required, a labour market re-entry plan to facilitate the worker's return to work with the employer.

## PART VI TRANSITION

### Transition

20. Despite its revocation by section 21 of this Regulation, Ontario Regulation 259/92 (Reinstatement in the Construction Industry) under the Act continues to apply to employers and workers in respect of any injury that occurs before September 1, 2008.

## PART VII REVOCATION AND COMMENCEMENT

### Revocation

21. Ontario Regulation 259/92 is revoked.

### Commencement

22. This Regulation comes into force on September 1, 2008.

## RÈGLEMENT DE L'ONTARIO 35/08

pris en application de la

## LOI DE 1997 SUR LA SÉCURITÉ PROFESSIONNELLE ET L'ASSURANCE CONTRE LES ACCIDENTS DU TRAVAIL

pris le 23 janvier 2008  
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## RETOUR AU TRAVAIL ET RÉEMPLOI — INDUSTRIE DE LA CONSTRUCTION

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**PARTIE I  
DISPOSITIONS GÉNÉRALES**

**Champ d'application**

**1. (1) Le présent règlement :**

- a) s'applique aux employeurs qui oeuvrent principalement dans la construction et aux travailleurs qui y travaillent, comme le prévoient les paragraphes 40 (3) et 41 (8) de la Loi;
- b) prescrit les exigences visées aux paragraphes 40 (3) et 41 (8) de la Loi.

(2) Il est entendu que le présent règlement s'applique à tous les employeurs qui oeuvrent principalement dans la construction, quel que soit le nombre de travailleurs qu'ils emploient.

**Définition**

**2. La définition qui suit s'applique au présent règlement.**

«travail approprié» Travail qui remplit les conditions suivantes :

- a) il est sans danger, productif et compatible avec l'habileté fonctionnelle du travailleur;
- b) il permet, si possible, au travailleur de toucher les gains qu'il touchait avant de subir la lésion.

**PARTIE II  
RETOUR AU TRAVAIL**

**Exigences : employeur**

**3. L'employeur d'un travailleur blessé collabore au retour au travail rapide et sans danger du travailleur conformément aux exigences suivantes :**

- 1. Il communique avec le travailleur dès que possible après que la lésion est survenue et reste en contact avec lui, selon ce qui est approprié, pendant toute la période de son rétablissement et de sa déficience.
- 2. Il tente de trouver pour le travailleur un travail approprié disponible.
- 3. Il donne à la Commission les renseignements qu'elle demande concernant le retour au travail du travailleur.

**Exigences : travailleur**

**4. Le travailleur collabore à son retour au travail rapide et sans danger conformément aux exigences suivantes :**

- 1. Il communique avec l'employeur dès que possible après que la lésion est survenue et reste en contact avec lui, selon ce qui est approprié, pendant toute la période de son rétablissement et de sa déficience.
- 2. S'il est tenu ou s'il lui est demandé de le faire, il aide l'employeur à lui trouver un travail approprié disponible.
- 3. Il donne à la Commission les renseignements qu'elle demande concernant son retour au travail.

**PARTIE III  
RÉEMPLOI — TOUS LES TRAVAILLEURS**

**Durée de l'obligation**

**5. L'obligation qu'imposent la présente partie et la partie IV ou V, selon le cas, à l'employeur prend fin à celle des dates suivantes qui est antérieure aux autres :**

1. Le deuxième anniversaire de la date où la lésion est survenue.
2. Un an après que le travailleur est capable, sur le plan médical, de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion.
3. La date où le travailleur refuse l'offre de l'employeur de le réemployer conformément au présent règlement.
4. La date où le travailleur atteint l'âge de 65 ans.

**Autre cas où la Commission peut trancher**

6. (1) La Commission peut décider des questions énoncées aux dispositions 1 et 2 du paragraphe 41 (3) de la Loi à la demande du travailleur ou de l'employeur.

(2) Le paragraphe (1) s'applique en plus du paragraphe 41 (3) de la Loi.

(3) La Commission avise promptement et par écrit le travailleur et l'employeur de la décision qu'elle prend aux termes du paragraphe (1) ou du paragraphe 41 (3) de la Loi.

**Exigences concernant le réemploi : employeur**

7. (1) L'employeur se conforme aux exigences suivantes pour ce qui est du réemploi du travailleur :

1. Il se conforme aux exigences de la partie IV ou de la partie V, selon le cas.
2. Il adapte le travail ou le lieu de travail aux besoins du travailleur, dans la mesure où cela ne lui cause aucun préjudice injustifié.
3. À la demande du travailleur ou de la Commission, il leur donne à tous les deux, par écrit, des précisions sur les mesures qu'il a l'intention de prendre pour adapter le travail ou le lieu de travail aux besoins du travailleur en application de la disposition 2.

(2) La disposition 2 du paragraphe (1) n'oblige pas l'employeur qui ne contrôle pas le lieu de travail à adapter celui-ci aux besoins du travailleur.

**Présomption : manquement aux obligations de l'employeur**

8. (1) Sous réserve du paragraphe (2), l'employeur est présumé ne pas avoir rempli les obligations que lui impose le présent règlement s'il réemploie le travailleur conformément au présent règlement, puis le licencie dans les six mois de la date de son réemploi.

(2) En cas de réemploi dans un chantier de construction conformément au présent règlement, l'employeur est présumé ne pas avoir rempli les obligations que lui impose le présent règlement dans chacun des cas suivants :

1. L'employeur réemploie le travailleur dans un chantier de construction, puis le licencie à la fois :
  - i. avant que son travail dans le chantier de construction soit terminé,
  - ii. dans les six mois de la date de son réemploi.
2. L'employeur réemploie le travailleur dans un chantier de construction, puis le licencie avant que son travail dans le chantier de construction soit terminé. L'employeur ne réemploie pas le travailleur dans ce chantier ou un autre chantier de construction dans les six mois de la date de son réemploi bien que l'une ou l'autre des conditions suivantes soit remplie :
  - i. le travailleur est capable de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion et cet emploi, ou un autre emploi comparable, est ou devient disponible dans ce chantier ou un autre chantier de construction,
  - ii. un travail approprié est ou devient disponible dans ce chantier ou un autre chantier de construction.

(3) L'employeur peut réfuter la présomption créée par le paragraphe (1) ou par la disposition 1 du paragraphe (2) en démontrant que le licenciement n'était pas lié à la lésion.

(4) L'employeur peut réfuter la présomption créée par la disposition 2 du paragraphe (2) en démontrant que le défaut de réemployer le travailleur n'était pas lié à la lésion.

## PARTIE IV RÉEMPLOI — TRAVAILLEURS SYNDIQUÉS

**Champ d'application de la partie IV**

9. La présente partie s'applique si, à la date où le travailleur a été blessé, l'employeur était lié par une convention collective conclue avec un syndicat représentant le travailleur.

**Définition**

10. La définition qui suit s'applique à la présente partie.

«lieu de travail régi par la convention collective» S'entend, selon le cas :

- a) d'un chantier de construction ou d'un atelier de l'employeur du travailleur qui appartient au métier, au secteur et au territoire visés par la convention collective qui s'applique au travailleur;
- b) du lieu de travail où le travailleur a été blessé.

**Travailleur capable de s'acquitter des tâches essentielles**

11. (1) Le présent article s'applique si l'employeur est informé que le travailleur est capable, sur le plan médical, de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion.

(2) L'employeur offre de réemployer le travailleur dans un poste correspondant à son métier et à sa classification à un lieu de travail régi par la convention collective si, selon le cas :

- a) un tel poste est disponible;
- b) un tel poste est occupé par un autre travailleur qui a été engagé, affecté ou muté à la date où le travailleur a été blessé ou par la suite.

**Travailleur capable d'accomplir un travail approprié dans la construction**

12. (1) Le présent article s'applique si l'employeur est informé que, tout en étant dans l'incapacité de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion, le travailleur est capable, sur le plan médical, d'accomplir un travail approprié dans la construction.

(2) L'employeur offre de réemployer le travailleur :

- a) dans un poste dont les tâches consistent en un travail approprié correspondant à son métier et à sa classification à un lieu de travail régi par la convention collective, si un tel poste est disponible;
- b) en l'absence de poste visé à l'alinéa a), dans un poste dont les tâches consistent en un travail approprié correspondant à son métier à un lieu de travail régi par la convention collective, si un tel poste est disponible;
- c) en l'absence de poste visé à l'alinéa a) ou b), dans un poste dont les tâches consistent en un travail approprié dans la construction à un autre lieu de travail de l'employeur, si un tel poste est disponible.

**Postes multiples**

13. (1) Si plus d'un poste visé au paragraphe 11 (2) ou à l'alinéa 12 (2) a), b) ou c) est disponible, l'employeur offre de réemployer le travailleur dans le poste dont la nature et les gains se rapprochent le plus de ceux du poste qu'il occupait à la date où la lésion est survenue.

(2) Si l'application du paragraphe (1) permet de trouver deux ou plusieurs postes, l'employeur tient compte des facteurs suivants lorsqu'il décide dans quel poste offrir de réemployer le travailleur :

- 1. La durée de chaque poste.
- 2. S'il s'agit d'un poste dans un chantier de construction, la durée du chantier.
- 3. La proximité de chaque poste par rapport au domicile du travailleur.

**Travailleur capable d'accomplir un travail approprié hors de la construction**

14. (1) Le présent article s'applique si l'employeur est informé que, même s'il est peu probable que le travailleur soit capable, sur le plan médical, de retravailler dans la construction, il est capable, sur le plan médical, d'accomplir un travail approprié hors de la construction.

(2) L'employeur offre de réemployer le travailleur dans un poste dont les tâches consistent en un travail approprié hors de la construction, si un tel poste est disponible.

(3) À la demande du travailleur ou de l'employeur, la Commission fournit au travailleur une évaluation de ses possibilités de réintégration sur le marché du travail ainsi que, si elle détermine que le travailleur en a besoin, un programme de réintégration sur le marché du travail pour faciliter son retour au travail auprès de l'employeur.

## PARTIE V RÉEMPLOI — TRAVAILLEURS NON SYNDIQUÉS

**Champ d'application de la partie V**

15. La présente partie s'applique si les conditions suivantes sont réunies :

- a) à la date où le travailleur a été blessé, l'employeur n'était pas lié par une convention collective conclue avec un syndicat représentant le travailleur;
- b) pendant la période où la partie III et la présente partie imposent une obligation à l'employeur, celui-ci emploie encore des travailleurs au lieu de travail où le travailleur a été blessé ou à un lieu de travail comparable.



**Travailleur capable de s'acquitter des tâches essentielles**

16. (1) Le présent article s'applique si l'employeur est informé que le travailleur est capable, sur le plan médical, de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion.

(2) L'employeur offre de réemployer le travailleur dans un poste correspondant à son métier :

a) soit au lieu de travail où le travailleur a été blessé si, selon le cas :

(i) un tel poste est disponible,

(ii) un tel poste est occupé par un autre travailleur qui a été engagé, affecté ou muté à la date où le travailleur a été blessé ou par la suite;

b) soit à un lieu de travail comparable de l'employeur, si un tel poste est disponible.

**Travailleur capable d'accomplir un travail approprié dans la construction**

17. (1) Le présent article s'applique si l'employeur est informé que, tout en étant dans l'incapacité de s'acquitter des tâches essentielles de l'emploi qu'il occupait avant que ne survienne la lésion, le travailleur est capable, sur le plan médical, d'accomplir un travail approprié dans la construction.

(2) L'employeur offre de réemployer le travailleur :

a) dans un poste dont les tâches consistent en un travail approprié correspondant à son métier au lieu de travail où il a été blessé, si un tel poste est disponible;

b) en l'absence de poste visé à l'alinéa a), dans un poste dont les tâches consistent en un travail approprié correspondant à son métier à un lieu de travail comparable, si un tel poste est disponible.

(3) S'il ne dispose de travail approprié correspondant au métier du travailleur à aucun lieu de travail, mais qu'il dispose de travail approprié dans la construction, l'employeur offre de réemployer le travailleur :

a) dans un poste dont les tâches consistent en un travail approprié dans la construction au lieu de travail où le travailleur a été blessé, si un tel poste est disponible;

b) en l'absence de poste visé à l'alinéa a), dans un poste dont les tâches consistent en un travail approprié dans la construction à un lieu de travail comparable, si un tel poste est disponible.

**Postes multiples**

18. (1) Si plus d'un poste visé au paragraphe 16 (2), 17 (2) ou 17 (3) est disponible, l'employeur offre de réemployer le travailleur dans le poste dont la nature et les gains se rapprochent le plus de ceux du poste qu'il occupait à la date où la lésion est survenue.

(2) Si l'application du paragraphe (1) permet de trouver deux ou plusieurs postes, l'employeur tient compte des facteurs suivants lorsqu'il décide dans quel poste offrir de réemployer le travailleur :

1. La durée de chaque poste.

2. S'il s'agit d'un poste dans un chantier de construction, la durée du chantier.

3. La proximité de chaque poste par rapport au domicile du travailleur.

**Travailleur capable d'accomplir un travail approprié hors de la construction**

19. (1) Le présent article s'applique si l'employeur est informé que, même s'il est peu probable que le travailleur soit capable, sur le plan médical, de retravailler dans la construction, il est capable, sur le plan médical, d'accomplir un travail approprié hors de la construction.

(2) L'employeur offre de réemployer le travailleur dans un poste dont les tâches consistent en un travail approprié hors de la construction, si un tel poste est disponible.

(3) À la demande du travailleur ou de l'employeur, la Commission fournit au travailleur une évaluation de ses possibilités de réintégration sur le marché du travail ainsi que, si elle détermine que le travailleur en a besoin, un programme de réintégration sur le marché du travail pour faciliter son retour au travail auprès de l'employeur.

## PARTIE VI DISPOSITION TRANSITOIRE

**Disposition transitoire**

20. Bien que l'article 21 du présent règlement l'abroge, le Règlement de l'Ontario 259/92 (Reinstatement in the Construction Industry), règlement d'application de la Loi, continue de s'appliquer aux employeurs et aux travailleurs à l'égard des lésions qui surviennent avant le 1<sup>er</sup> septembre 2008.



**PARTIE VII  
ABROGATION ET ENTRÉE EN VIGUEUR**

**Abrogation**

**21. Le Règlement de l'Ontario 259/92 est abrogé.**

**Entrée en vigueur**

**22. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 2008.**

Made by:

Pris par :

WORKPLACE SAFETY AND INSURANCE BOARD:  
COMMISSION DE LA SÉCURITÉ PROFESSIONNELLE ET DE L'ASSURANCE CONTRE LES ACCIDENTS DU TRAVAIL :

BRENDA ABRAMS  
*General Counsel and Corporate Secretary*  
*Avocate générale et secrétaire générale*

STEVEN W. MAHONEY  
*Chair*  
*Président*

Date made: January 23, 2008.

Pris le : 23 janvier 2008.

10/08

**ONTARIO REGULATION 36/08**

made under the

**PRIVATE SECURITY AND INVESTIGATIVE SERVICES ACT, 2005**

Made: February 20, 2008

Filed: February 22, 2008

Published on e-Laws: February 25, 2008

Printed in *The Ontario Gazette*: March 8, 2008

Revoking Reg. 938 of R.R.O. 1990  
(General)

Note: Regulation 938 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

- 1. Regulation 938 of the Revised Regulations of Ontario, 1990 is revoked.**
- 2. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 36/08**

pris en application de la

**LOI DE 2005 SUR LES SERVICES PRIVÉS DE SÉCURITÉ ET D'ENQUÊTE**

pris le 20 février 2008  
déposé le 22 février 2008  
publié sur le site Lois-en-ligne le 25 février 2008  
imprimé dans la *Gazette de l'Ontario* le 8 mars 2008

abrogeant le Règl. 938 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 938 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Le Règlement 938 des Règlements refondus de l'Ontario de 1990 est abrogé.
2. Le présent règlement entre en vigueur le jour de son dépôt.

Made by:  
Pris par :

*Le ministre de la Sécurité communautaire et des Services correctionnels,*

**RICK BARTOLUCCI**  
*Minister of Community Safety and Correctional Services*

Date made: February 20, 2008.  
Pris le : 20 février 2008.

10/08

**ONTARIO REGULATION 37/08**

made under the

**PRIVATE SECURITY AND INVESTIGATIVE SERVICES ACT, 2005**

Made: February 20, 2008  
Filed: February 22, 2008  
Published on e-Laws: February 25, 2008  
Printed in *The Ontario Gazette*: March 8, 2008

**ELIGIBILITY TO HOLD A LICENCE — CLEAN CRIMINAL RECORD****Prescribed offences**

1. For the purpose of section 10 of the Act, a person does not possess a clean criminal record if he or she has been convicted of, and not been granted a pardon for, any of the offences set out in Table 1 or 2.

TABLE 1  
OFFENCES UNDER THE *CRIMINAL CODE* (CANADA)

Item	Provision	Description
1.	Subsection 57 (1)	Forgery of or uttering forged passport
2.	Section 83.02	Providing or collecting property for certain activities
3.	Section 83.03	Providing, making available, etc., property or services for terrorist purposes
4.	Section 83.04	Using or possessing property for terrorist purposes
5.	Section 83.18	Participation in activity of terrorist group
6.	Section 83.19	Facilitating terrorist activity
7.	Section 83.21	Instructing to carry out activity for terrorist group
8.	Section 83.22	Instructing to carry out terrorist activity
9.	Section 83.23	Harbouring or concealing terrorists
10.	Section 83.231	Hoax regarding terrorist activity
11.	Subsection 121 (1)	Frauds on the government
12.	Section 129	Offences related to public or peace officer
13.	Section 130	Personating peace officer
14.	Section 151	Sexual interference
15.	Section 152	Invitation to sexual touching
16.	Section 153	Sexual exploitation
17.	Section 153.1	Sexual exploitation of person with disability
18.	Section 163.1	Child pornography — making, distributing, etc.
19.	Section 170	Parent or guardian procuring sexual activity
20.	Section 172.1	Luring a child
21.	Section 220	Causing death by criminal negligence
22.	Section 235	Murder — first or second degree
23.	Section 239	Attempt to commit murder
24.	Section 244	Causing bodily harm with intent — firearm
25.	Section 245	Administering noxious thing
26.	Section 264	Criminal harassment
27.	Section 267	Assault with a weapon or causing bodily harm
28.	Section 268	Aggravated assault
29.	Section 269.1	Torture
30.	Paragraph 270 (1) (a)	Assaulting a peace officer
31.	Section 270.1	Disarming a peace officer
32.	Section 272	Sexual assault with a weapon, threats to a third party or causing bodily harm
33.	Section 273	Aggravated sexual assault
34.	Subsection 279 (1)	Kidnapping
35.	Section 279.1	Hostage taking
36.	Section 280	Abduction of person under sixteen
37.	Section 281	Abduction of person under fourteen
38.	Section 282	Abduction in contravention of custody order
39.	Section 283	Abduction
40.	Section 318	Advocating genocide
41.	Section 319	Public incitement of hatred, wilful promotion of hatred
42.	Section 324	Theft by bailee of things under seizure
43.	Section 326	Theft of telecommunication service
44.	Paragraph 334 (a)	Theft over \$5,000
45.	Subsection 342 (1)	Theft, forgery, etc. of credit card
46.	Section 344	Robbery
47.	Section 345	Stopping mail with intent
48.	Section 346	Extortion
49.	Section 348	Breaking and entering with intent, committing offence or breaking out
50.	Section 356	Theft from mail
51.	Section 361	False pretence
52.	Section 362	False pretence or false statement
53.	Section 363	Obtaining execution of valuable security by fraud
54.	Section 367	Forgery
55.	Section 368	Uttering forged document
56.	Section 374	Drawing document without authority, etc.
57.	Section 375	Obtaining, etc., by instrument based on forged document

Item	Provision	Description
58.	Paragraph 380 (1) (a)	Fraud over \$5,000
59.	Section 382	Fraudulent manipulation of stock exchange transactions
60.	Section 385	Fraudulent concealment of title documents
61.	Section 386	Fraudulent registration of title
62.	Section 387	Fraudulent sale of real property
63.	Section 388	Misleading receipt
64.	Section 389	Fraudulent disposal of goods on which money advanced
65.	Section 390	Fraudulent receipts under <i>Bank Act</i>
66.	Section 392	Disposal of property to defraud creditors
67.	Subsection 393 (1)	Fraud in relation to fares, etc.
68.	Section 394	Fraud in relation to valuable minerals
69.	Section 394.1	Possession of stolen or fraudulently obtained valuable minerals
70.	Section 396	Offences related to mines
71.	Section 407	Forging trade-mark
72.	Section 423	Intimidation
73.	Section 423.1	Intimidation of a justice system participant
74.	Subsection 430 (4.1)	Mischief relating to religious property
75.	Section 433	Arson/disregard for human life
76.	Section 434	Arson/damage to property
77.	Section 434.1	Arson/own property
78.	Section 435	Arson for fraudulent purpose
79.	Section 436	Arson by negligence
80.	Section 462.31	Laundering proceeds of crime
81.	Section 467.11	Participation in activities of criminal organization

TABLE 2

OFFENCES UNDER THE *CONTROLLED DRUGS AND SUBSTANCES ACT* (CANADA)

Item	Provision	Description
1.	Subsection 5 (1)	Trafficking in substance
2.	Subsection 6 (1)	Importing and exporting

## Revocation

2. Ontario Regulation 360/07 is revoked.

## Commencement

3. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 37/08

pris en application de la

## LOI DE 2005 SUR LES SERVICES PRIVÉS DE SÉCURITÉ ET D'ENQUÊTE

pris le 20 février 2008

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imprimé dans la *Gazette de l'Ontario* le 8 mars 2008

## DROIT À UN PERMIS — CASIER JUDICIAIRE VIERGE

## Infractions prescrites

1. Pour l'application de l'article 10 de la Loi, une personne n'a pas de casier judiciaire vierge si elle a été déclarée coupable de l'une ou l'autre des infractions indiquées au tableau 1 ou 2 pour laquelle la réhabilitation ne lui a pas été octroyée.



TABLEAU 1  
INFRACTIONS PRÉVUES PAR LE *CODE CRIMINEL* (CANADA)

N°	Disposition	Description
1.	Paragraphe 57 (1)	Faux ou usage de faux en matière de passeport
2.	Article 83.02	Fournir ou réunir des biens en vue de certains actes
3.	Article 83.03	Fournir, rendre disponibles, etc. des biens ou services à des fins terroristes
4.	Article 83.04	Utiliser ou avoir en sa possession des biens à des fins terroristes
5.	Article 83.18	Participation à une activité d'un groupe terroriste
6.	Article 83.19	Facilitation d'une activité terroriste
7.	Article 83.21	Charger une personne de se livrer à une activité pour un groupe terroriste
8.	Article 83.22	Charger une personne de se livrer à une activité terroriste
9.	Article 83.23	Héberger ou cacher des terroristes
10.	Article 83.231	Incitation à craindre des activités terroristes
11.	Paragraphe 121 (1)	Fraudes envers le gouvernement
12.	Article 129	Infractions relatives aux agents de la paix
13.	Article 130	Prétendre faussement être un agent de la paix
14.	Article 151	Contacts sexuels
15.	Article 152	Incitation à des contacts sexuels
16.	Article 153	Exploitation sexuelle
17.	Article 153.1	Personnes en situation d'autorité
18.	Article 163.1	Pornographie juvénile — production, distribution, etc.
19.	Article 170	Père, mère ou tuteur qui sert d'entremetteur
20.	Article 172.1	Leurre
21.	Article 220	Le fait de causer la mort par négligence criminelle
22.	Article 235	Meurtre — premier ou deuxième degré
23.	Article 239	Tentative de meurtre
24.	Article 244	Fait de causer intentionnellement des lésions corporelles — arme à feu
25.	Article 245	Fait d'administrer une substance délétère
26.	Article 264	Harcèlement criminel
27.	Article 267	Agression armée ou infraction de lésions corporelles
28.	Article 268	Voies de fait graves
29.	Article 269.1	Torture
30.	Alinéa 270 (1) a)	Voies de fait contre un agent de la paix
31.	Article 270.1	Désarmer un agent de la paix
32.	Article 272	Agression sexuelle armée, menaces à une tierce personne ou infraction de lésions corporelles
33.	Article 273	Agression sexuelle grave
34.	Paragraphe 279 (1)	Enlèvement
35.	Article 279.1	Prise d'otage
36.	Article 280	Enlèvement d'une personne âgée de moins de 16 ans
37.	Article 281	Enlèvement d'une personne âgée de moins de 14 ans
38.	Article 282	Enlèvement en contravention avec une ordonnance de garde
39.	Article 283	Enlèvement
40.	Article 318	Encouragement au génocide
41.	Article 319	Incitation publique à la haine, fomenter volontairement la haine
42.	Article 324	Vol par dépositaire de choses frappées de saisie
43.	Article 326	Vol de service de télécommunication
44.	Alinéa 334 a)	Vol de plus de 5 000 \$
45.	Paragraphe 342 (1)	Vol, etc. de cartes de crédit
46.	Article 344	Vol qualifié
47.	Article 345	Fait d'arrêter la poste avec intention de vol
48.	Article 346	Extorsion
49.	Article 348	Introduction par effraction dans un dessein criminel
50.	Article 356	Vol de courrier
51.	Article 361	Définition de «faux semblant» ou «faux prétexte»
52.	Article 362	Escroquerie : faux semblant ou fausse déclaration
53.	Article 363	Obtention par fraude de la signature d'une valeur

N°	Disposition	Description
54.	Article 367	Faux
55.	Article 368	Emploi d'un document contrefait
56.	Article 374	Rédaction non autorisée d'un document
57.	Article 375	Obtenir, etc. au moyen d'un instrument fondé sur un document contrefait
58.	Alinéa 380 (1) a)	Fraude de plus de 5 000 \$
59.	Article 382	Manipulations frauduleuses d'opérations boursières
60.	Article 385	Cacher frauduleusement des titres
61.	Article 386	Enregistrement frauduleux de titre
62.	Article 387	Vente frauduleuse d'un bien immeuble
63.	Article 388	Reçu destiné à tromper
64.	Article 389	Aliénation frauduleuse de marchandises sur lesquelles on a avancé de l'argent
65.	Article 390	Reçus frauduleux sous le régime de la <i>Loi sur les banques</i>
66.	Article 392	Aliénation de biens avec l'intention de frauder des créanciers
67.	Paragraphe 393 (1)	Fraude en matière de prix de passage, etc.
68.	Article 394	Fraudes relatives aux minéraux précieux
69.	Article 394.1	Possession de minéraux précieux volés ou obtenus illégalement
70.	Article 396	Infractions relatives aux mines
71.	Article 407	Contrefaçon d'une marque de commerce
72.	Article 423	Intimidation
73.	Article 423.1	Intimidation d'une personne associée au système judiciaire
74.	Paragraphe 430 (4.1)	Méfait : culte religieux
75.	Article 433	Incendie criminel : danger pour la vie humaine
76.	Article 434	Incendie criminel : dommages matériels
77.	Article 434.1	Incendie criminel : biens propres
78.	Article 435	Incendie criminel : intention frauduleuse
79.	Article 436	Incendie criminel par négligence
80.	Article 462.31	Recyclage des produits de la criminalité
81.	Article 467.11	Participation aux activités d'une organisation criminelle

TABLEAU 2

INFRACTIONS PRÉVUES PAR LA *LOI RÉGLEMENTANT CERTAINES DROGUES ET AUTRES SUBSTANCES*  
(CANADA)

N°	Disposition	Description
1.	Paragraphe 5 (1)	Trafic de substances
2.	Paragraphe 6 (1)	Importation et exportation

## Abrogation

**2. Le Règlement de l'Ontario 360/07 est abrogé.**

## Entrée en vigueur

**3. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:

Pris par :

*Le ministre de la Sécurité communautaire et des Services correctionnels,*

RICK BARTOLUCCI  
*Minister of Community Safety and Correctional Services*

Date made: February 20, 2008.

Pris le : 20 février 2008.

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—03—15

**ONTARIO REGULATION 38/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: January 29, 2008

Filed: February 28, 2008

Published on e-Laws: March 3, 2008

Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Part 3 of Schedule 113 to Regulation 619 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

**District of Thunder Bay — Township of Oliver Paipoonge**

1. That part of the King's Highway known as No. 130 in the Township of Paipoonge in the Territorial District of Thunder Bay lying between a point situate at its intersection with the roadway known as Arthur Street and a point situate at its intersection with the King's Highway known as Nos. 11 and 17.

**(2) Paragraph 1 of Part 5 of Schedule 113 to the Regulation is revoked and following substituted:**

**District of Thunder Bay — Township of Oliver Paipoonge**

1. That part of the King's Highway known as No. 130 in the Township of Oliver Paipoonge in the Territorial District of Thunder Bay lying between a point situate at its intersection with the roadway known as Arthur Street and a point situate 500 metres measured westerly from its intersection with the roadway known as the 1st Concession Road and the 10th Sideroad.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: January 29, 2008.

11/08

**ONTARIO REGULATION 39/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: February 20, 2008

Filed: February 28, 2008

Published on e-Laws: March 3, 2008

Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 627 of R.R.O. 1990

(Use of Controlled-Access Highways by Pedestrians)

Note: Regulation 627 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Schedule 1 to Regulation 627 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**SCHEDULE 1**

1. All of the King's Highways known as Nos. 400, 401, 402, 403, 404, 405, 406, 407, 409, 410, 416, 417, 427 and the Queen Elizabeth Way.
2. All of the King's Highway known as Nos. 69 and 400.
3. All of the King's Highway known as Nos. 6 and 403.
4. All of the King's Highway known as Nos. 35 and 115.
5. All of the King's Highway known as Nos. 24 and 403.
6. All of the King's Highway known as Nos. 58 and 406.
7. That part of the King's Highway known as No. 420 in the City of Niagara Falls lying between a point situate at its intersection with the King's Highway known as the Queen Elizabeth Way and a point situate 91 metres measured westerly from its intersection with the centre line of the westerly limit of the roadway known as Stanley Avenue.
8. That part of the King's Highway known as No. 3 lying between a point situate at its intersection with the eastern limit of the roadway known as Ron McNeil Line (also known as Elgin County Road 52) where Ron McNeil Line continues as the roadway known as Ford Drive in the Township of Southwold and a point situate at its intersection with the west junction of the roadway known as Centennial Avenue in the Municipality of Central Elgin.
9. That part of the King's Highway known as No. 6 in the County of Haldimand lying between a point situate at its intersection with the roadway known as Argyle Street South and a point situate at its intersection with the southern limit of the roadway known as Seneca Greens Road.
10. That part of the King's Highway known as No. 6 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Puslinch and a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) in the City of Guelph.
11. That part of King's Highway known as No. 6 in the City of Hamilton lying between a point situate at its intersection with the centre line of the King's Highway known as No. 403 and a point situate 50 metres measured northerly from its intersection with the centre line of the King's Highway known as No. 7273 (also known as Old Highway 6), except for 50 metres measured north and 50 metres measured south of its intersection with centre line of Book Road.
12. That part of the King's Highway known as Nos. 6 and 7 in the City of Guelph lying between a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) and a point situate at its intersection with the north junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Woodlawn Road.
13. That part of the King's Highway known as No. 7 in the City of Ottawa lying between a point situate at its intersection with the King's Highway known as No. 417 and a point situate 150 metres measured easterly from its intersection with the centre line of the roadway known as McNeely Avenue in the Township of Beckwith.
14. That part of the King's Highway known as No. 7 in the City of Kitchener lying between a point situate at its intersection with the roadway known as Victoria Street and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street.



15. That part of the King's Highway known as Nos. 7 and 8 lying between a point situate at its intersection with the eastern limit of the roadway known as Waterloo Road 5 in the Township of Wilmot and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street in the City of Kitchener.
16. That part of the King's Highway known as Nos. 7 and 115 lying between a point situate at its intersection with the west junction of the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan and a point situate 30 metres measured westerly from its intersection with the centre line of the roadway known as Landsdowne Street East in the City of Peterborough.
17. That part of the King's Highway known as No. 8 in the City of Kitchener lying between a point situate at its intersection with the King's Highway known as No. 401 and a point situate at its intersection with the east junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as King Street.
18. That part of the King's Highway known as No. 11 in the City of Orillia lying between a point situate at its intersection with the roadway known as Memorial Avenue and a point situate at its intersection with the roadway known as Lacie Street.
19. That part of the King's Highway known as No. 11 lying between a point situate at its intersection with the roadway known as Muskoka Road 169 (also known as Bethune Drive) in the Town of Gravenhurst and a point situate at its intersection with the north junction of the King's Highway known as No. 592 in the Territorial District of Parry Sound.
20. That part of the King's Highway known as No. 11 lying between a point situate at its intersection with the south junction of the King's Highway known as No. 17 in the City of North Bay and a point situate at its intersection with the roadway known as Goreville Road in the District of Parry Sound.
21. That part of the King's Highway known as Nos. 11 and 17 in the City of North Bay lying between a point situate at its intersection with the roadway known as Seymour Street and a point situate at its intersection with the King's Highway known as No. 11 (also known as Algonquin Avenue).
22. That part of the King's Highway known as Nos. 11 and 17 lying between a point situate at its intersection with the roadway known as Lakeshore Drive in the Township of MacGregor and a point situate at its intersection with the King's Highway known as No. 130 in the Municipality of Oliver Paipoonge.
23. That part of the King's Highway known as No. 17 in the City of North Bay lying between a point situate at its intersection with the King's Highway known as No. 11 (also known as Algonquin Avenue) and a point situate at its intersection with the roadway known as Gormanville Road.
24. That part of the King's Highway known as No. 17 in the City of Greater Sudbury lying between a point situate at its intersection with the middle junction of the roadway known as Municipal Road 55 and a point situate at its intersection with the west junction of the roadway known as Municipal Road 55.
25. That part of the King's Highway known as No. 58 in the City of Thorold lying between a point situate at its intersection with the King's Highway known as No. 406 and a point situate at its intersection with the westerly limit of the roadway known as Niagara Regional Road No. 57 (also known as Thorold Stone Road).
26. That part of the King's Highway known as No. 61 in the City of Thunder Bay lying between a point situate at its intersection with the King's Highway known as No. 11 and a point situate at its intersection with the roadway known as Broadway Avenue.
27. That part of the King's Highway known as No. 85 lying between a point situate at its intersection with the King's Highway known as No. 7 (also known as Victoria Street) in the City of Kitchener and a point situate 385 metres measured northerly from its intersection with the centre line of the roadway known as Waterloo Regional Road 15 (also known as King Street) in the Township of Woolwich.
28. That part of the King's Highway known as No. 115 lying between a point situate at its intersection with the King's Highway known as Nos. 35 and 115 in the Municipality of Clarington and a point situate at its intersection with the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan.
29. That part of the King's Highway known as No. 137 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Leeds and The Thousand Islands and a point situate at its intersection with the border between Canada and the United States of America.
30. All of the King's Highway known as No. 7274 (also known as Highway 6/Airport Road Connection).

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: February 20, 2008.

11/08

## ONTARIO REGULATION 40/08

made under the

### HIGHWAY TRAFFIC ACT

Made: February 20, 2008  
Filed: February 28, 2008  
Published on e-Laws: March 3, 2008  
Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 623 of R.R.O. 1990  
(Stop Signs at Intersections)

Note: Regulation 623 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Schedule 125 to Regulation 623 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

#### SCHEDULE 125

1. Highway No. 548 in the Township of Hilton in the Territorial District of Algoma at its intersection with the roadway known as Base Line Road and Hilton Road.

2. Southbound and westbound on Highway 548, eastbound on Hilton Road and northbound on Base Line Road.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: February 20, 2008.

11/08



**ONTARIO REGULATION 41/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: February 20, 2008

Filed: February 28, 2008

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Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 623 of R.R.O. 1990

(Stop Signs at Intersections)

Note: Regulation 623 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Schedule 38 of Regulation 623 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**SCHEDULE 38**

1. Highway No. 548 in the Township of St. Joseph in the Territorial District of Algoma at its intersection with the roadway known as 10th Side Road and "D" Line Road.

2. Southbound and westbound on Highway 548, eastbound on "D" Line Road and northbound on 10th Side Road.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY

*Minister of Transportation*

Date made: February 20, 2008.

11/08

**ONTARIO REGULATION 42/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: February 20, 2008

Filed: February 28, 2008

Published on e-Laws: March 3, 2008

Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 608 of R.R.O. 1990

(Restricted Use of Left Lanes by Commercial Motor Vehicles)

Note: Regulation 608 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Schedules 1 to 10 to Regulation 608 of the Revised Regulations of Ontario, 1990 are revoked and following substituted:**

SCHEDULE 1  
HIGHWAY NO. 400

1. That part of the King's Highway known as No. 400 lying between a point situate at its intersection with the King's Highway known as No. 401 in the City of Toronto and a point situate at its intersection with the King's Highway known as No. 11 in the Township of Springwater.

SCHEDULE 2  
HIGHWAY NO. 401

1. That part of the King's Highway known as No. 401 lying between a point situate at its intersection with the King's Highway known as Nos. 35 and 115 in the Municipality of Carlington and a point situate at its intersection with the King's Highway known as No. 8 in the City of Cambridge.

2. That part of the King's Highway known as No. 401 lying between a point situate at its intersection with the King's Highway known as No. 403 in the City of Woodstock and a point situate at its intersection with the roadway known as Wellington Road in the City of London.

3. That part of the King's Highway known as No. 401 lying between a point situate 829 metres measured easterly from its intersection with the centre line of the roadway known as Oxford County Road 2 in the Township of Blandford-Blenheim and a point situate 1740 metres measured westerly from its intersection with the centre line of the roadway known as Wellington Road in the City of London.

4. That part of the King's Highway known as No. 401 in the Town of Lakeshore lying between a point situate 603 metres measured easterly from its intersection with the centre line of the roadway known as Essex County Road 42 (also known as Queens Line) and a point situate 3425 metres measured westerly from its intersection with the centre line of the roadway known as Essex County Road 31 (also known as French Line Road).

5. That part of the King's Highway known as No. 401 lying between a point situate 1281 metres measured easterly from its intersection with the centre line of the roadway known as Essex County Road 25 (also known as Puce Road) in the Town of Lakeshore and a point situate 1275 metres measured westerly from its intersection with the centre line of the roadway known as Essex County Road 19 (also known as Manning Road) in the Town of Tecumseh.

SCHEDULE 3  
HIGHWAY NO. 403

1. That part of the westbound lanes of the King's Highway known as No. 403 in the City of Mississauga lying between a point situate at its intersection with the roadway known as Cawthra Road and a point situate at its intersection with the roadway known as Glen Erin Drive.

2. That part of the eastbound lanes of the King's Highway known as No. 403 in the City of Mississauga lying between a point situate 910 metres measured westerly from its intersection with the centre line of the roadway known as Winston Churchill Boulevard and a point situate at its intersection with the roadway known as Eglinton Avenue East.

3. That part of the westbound lanes of the King's Highway known as No. 403 lying between a point situate at its intersection with the roadway known as King Road in the City of Burlington and a point situate at its intersection with the roadway known as Golf Links in the City of Hamilton.

SCHEDULE 4  
HIGHWAY NO. 404

1. That part of the King's Highway known as No. 404 lying between a point situate at its intersection with the roadway known as Van Horne Avenue in the City of Toronto and a point situate 1400 metres measured southerly from its intersection with the centre line of the roadway known as Aurora Road in the Town of Aurora.

SCHEDULE 5  
HIGHWAY NO. 407

1. That part of the King's Highway known as No. 407 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Town of Halton Hills and a point situate at its intersection with the roadway known as Markham Road in the Town of Markham.

2. That part of the King's Highway known as No. 407 lying between a point situate at its intersection with the King's Highway known as the Queen Elizabeth Way in the City of Burlington and a point situate at its intersection with the King's Highway known as No. 403 in the Town of Oakville.

SCHEDULE 6  
HIGHWAY NO. 409

1. That part of the King's Highway known as No. 409 in the City of Toronto lying between a point situate at its intersection with the King's Highway known as No. 401 and a point situate at its intersection with the roadway known as Carlingview Drive.

SCHEDULE 7  
HIGHWAY NO. 410

1. That part of the King's Highway known as No. 410 lying between a point situate at its intersection with the King's Highway known as No. 401 in the City of Mississauga and a point situate at its intersection with the roadway known as Bovaird Drive in the City of Brampton.

SCHEDULE 8  
HIGHWAY NO. 417

1. That part of the westbound lanes of the King's Highway known as No. 417 in the City of Ottawa lying between a point situate at its intersection with the roadway known as Regional Road 174 (also known as old Highway 17) and a point situate at its intersection with the roadway known as Woodroffe Avenue.

2. That part of the eastbound lanes of the King's Highway known as No. 417 in the City of Ottawa lying between a point situate at its intersection with the roadway known as Moodie Drive and a point situate at its intersection with the roadway known as St. Laurent Boulevard.

SCHEDULE 9  
HIGHWAY NO. 427

1. That part of the southbound lanes of the King's Highway known as No. 427 in the City of Toronto lying between a point situate at its intersection with the roadway known as Finch Avenue and a point situate at its intersection with the roadway known as Airport Road where Airport Road continues as Dixon Road.

2. That part of the northbound lanes of the King's Highway known as No. 427 in the City of Toronto lying between a point situate at its intersection with the roadway known as Renforth Drive and a point situate at its intersection with the roadway known as Clubhouse Road.

3. That part of the King's Highway known as No. 427 in the City of Toronto lying between a point situate at its intersection with the roadway known as Rathburn Road and a point situate at its intersection with the roadway known as Dundas Street West.

SCHEDULE 10  
QUEEN ELIZABETH WAY

1. That part of the eastbound lanes of the King's Highway known as the Queen Elizabeth Way lying between a point situate 1500 metres measured westerly from its intersection with the centre line of the roadway known as Ford Drive in the Town of Oakville and a point situate 25 metres measured westerly from its intersection with the centre line of the roadway known as The East Mall in the City of Toronto.

2. That part of the westbound lanes of the King's Highway known as the Queen Elizabeth Way lying between a point situate 25 metres measured westerly from its intersection with the centre line of the roadway known as The East Mall in the City of Toronto and a point situate 500 metres measured westerly from its intersection with the centre line of the roadway known as Ford Drive in the Town of Oakville.

3. That part of the King's Highway known as the Queen Elizabeth Way lying between a point situate 500 metres measured northerly from its intersection with the roadway known as North Shore Boulevard in the City of Burlington and a point situate 1000 metres measured westerly from its intersection with the centre line of the King's Highway known as No. 406 in the City of St. Catharines.

4. That part of the King's Highway known as the Queen Elizabeth Way lying between a point situate at its intersection with the roadway known as Regional Road 52 (also known as Bunting Road) in the City of St. Catharines and a point situate at its intersection with the roadway known as Glendale Avenue in the Town of Niagara-on-the-Lake.

SCHEDULE 11  
QUEEN ELIZABETH WAY AND HIGHWAY NO. 403

1. That part of the eastbound lanes of the King's Highway known as the Queen Elizabeth Way and No. 403 lying between a point situate 100 metres measured easterly from its intersection with the centre line of the roadway known as Brant Street in the City of Burlington and a point situate 1500 metres measured westerly from its intersection with the centre line of the roadway known as Ford Drive in the Town of Oakville.



2. That part of the westbound lanes of the King's Highway known as the Queen Elizabeth Way and No. 403 lying between a point situate 500 metres measured westerly from its intersection with the centre line of the roadway known as Ford Drive in the Town of Oakville and a point situate 400 metres measured westerly from its intersection with the centre line of the roadway known as Guelph Line in the City of Burlington.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: February 20, 2008.

11/08

## ONTARIO REGULATION 43/08

made under the

### HIGHWAY TRAFFIC ACT

Made: January 29, 2008

Filed: February 28, 2008

Published on e-Laws: March 3, 2008

Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Regulation 604 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 21 of Schedule 16 to Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

21. That part of the King's Highway known as No. 7 in the Township of Tay Valley in the County of Lanark beginning at a point situate 3600 metres west of the centre line of the roadway known as Lanark County Road 36 and extending westerly for a distance of 200 metres.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: January 29, 2008.

11/08



**ONTARIO REGULATION 44/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: February 20, 2008

Filed: February 28, 2008

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Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 609 of R.R.O. 1990

(Restricted Use of the King's Highway)

Note: Regulation 609 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The Schedule to Regulation 609 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**SCHEDULE 1**

1. All of the King's Highways known as Nos. 400, 401, 402, 403, 404, 405, 406, 407, 409, 410, 416, 417, 420, 427 and the Queen Elizabeth Way.
2. All of the King's Highway known as Nos. 69 and 400.
3. All of the King's Highway known as Nos. 6 and 403.
4. All of the King's Highway known as Nos. 24 and 403.
5. All of the King's Highway known as Nos. 35 and 115.
6. All of the King's Highway known as Nos. 58 and 406.
7. That part of the King's Highway known as No. 3 lying between a point situate at its intersection with the eastern limit of the roadway known as Ron McNeil Line (also known as Elgin County Road 52) where Ron McNeil Line continues as the roadway known as Ford Drive in the Township of Southwold and a point situate at its intersection with the west junction of the roadway known as Centennial Avenue in the Municipality of Central Elgin.
8. That part of the King's Highway known as No. 6 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Puslinch and a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) in the City of Guelph.
9. That part of the King's Highway known as No. 6 in the City of Hamilton lying between a point situate at its intersection with the King's Highway known as No. 403 and a point situate at its intersection with the King's Highway known as No. 7273 (also known as Old Highway 6).
10. That part of the King's Highway known as Nos. 6 and 7 in the City of Guelph lying between a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) and a point situate at its intersection with the north junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Woodlawn Road.
11. That part of the King's Highway known as No. 7 in the City of Ottawa lying between a point situate at its intersection with the King's Highway known as No. 417 and a point situate at its intersection with the roadway known as Regional Road 36 (also known as Hazeldean Road).
12. That part of the King's Highway known as No. 7 in the City of Kitchener lying between a point situate at its intersection with the roadway known as Victoria Street and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street.
13. That part of the King's Highway known as Nos. 7 and 8 lying between a point situate at its intersection with the eastern limit of the roadway known as Waterloo Road 5 in the Township of Wilmot and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street in the City of Kitchener.
14. That part of the King's Highway known as Nos. 7 and 115 lying between a point situate at its intersection with the west junction of the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan and a point situate at its intersection with the east junction of the King's Highway known as No. 7 in the City of Peterborough.

15. That part of the King's Highway known as No. 8 in the City of Kitchener lying between a point situate at its intersection with the King's Highway known as No. 401 and a point situate at its intersection with the east junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as King Street.
  16. That part of the King's Highway known as No. 11 in the City of Orillia lying between a point situate at its intersection with the roadway known as Memorial Avenue and a point situate at its intersection with the roadway known as Lacie Street.
  17. That part of the King's Highway known as No. 58 in the City of Thorold lying between a point situate at its intersection with the King's Highway known as No. 406 and a point situate at its intersection with the westerly limit of the roadway known as Niagara Regional Road No. 57 (also known as Thorold Stone Road).
  18. That part of the King's Highway known as No. 85 lying between a point situate at its intersection with the King's Highway known as No. 7 (also known as Victoria Street) in the City of Kitchener and a point situate at its intersection with the roadway known as Waterloo Regional Road 15 (also known as King Street) in the Township of Woolwich.
  19. That part of the King's Highway known as No. 115 lying between a point situate at its intersection with the King's Highway known as Nos. 35 and 115 in the Municipality of Clarington and a point situate at its intersection with the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan.
  20. That part of the King's Highway known as No. 137 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Leeds and The Thousand Islands and a point situate at its intersection with the border between Canada and the United States of America.
  21. All of the King's Highway known as No. 7274 (also known as Highway 6/Airport Road Connection).
- 2. This Regulation comes into force on the day it is filed.**

Made by:

**JIM BRADLEY**  
*Minister of Transportation*

Date made: February 20, 2008.

11/08

## **ONTARIO REGULATION 45/08**

made under the

### **HIGHWAY TRAFFIC ACT**

Made: February 20, 2008

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Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 630 of R.R.O. 1990  
(Vehicles on Controlled-Access Highways)

Note: Regulation 630 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

- 1. The Schedule to Regulation 630 of the Revised Regulations of Ontario, 1990 is revoked.**
- 2. The Regulation is amended by adding the following Schedule:**

#### **SCHEDULE 1**

1. All of the King's Highways known as Nos. 400, 401, 402, 403, 404, 405, 406, 407, 409, 410, 416, 417, 427 and the Queen Elizabeth Way.
2. All of the King's Highway known as Nos. 69 and 400.
3. All of the King's Highway known as Nos. 6 and 403.



4. All of the King's Highway known as Nos. 24 and 403.
5. All of the King's Highway known as Nos. 35 and 115.
6. All of the King's Highway known as Nos. 58 and 406.
7. That part of the King's Highway known as No. 420 in the City of Niagara Falls lying between a point situate at its intersection with the King's Highway known as the Queen Elizabeth Way and a point situate 91 metres measured westerly from its intersection with the centre line of the westerly limit of the roadway known as Stanley Avenue.
8. That part of the King's Highway known as No. 3 lying between a point situate at its intersection with the eastern limit of the roadway known as Ron McNeil Line (also known as Elgin County Road 52) where Ron McNeil Line continues as the roadway known as Ford Drive in the Township of Southwold and a point situate at its intersection with the west junction of the roadway known as Centennial Avenue in the Municipality of Central Elgin.
9. That part of the King's Highway known as No. 6 in the County of Haldimand lying between a point situate at its intersection with the roadway known as Argyle Street South and a point situate at its intersection with the southern limit of the roadway known as Seneca Greens Road.
10. That part of the King's Highway known as No. 6 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Puslinch and a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) in the City of Guelph.
11. That part of the King's Highway known as Nos. 6 and 7 in the City of Guelph lying between a point situate at its intersection with the south junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Wellington Street (also known as Wellington County Road 124) and a point situate at its intersection with the north junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as Woodlawn Road.
12. That part of the King's Highway known as No. 7 in the City of Ottawa lying between a point situate at its intersection with the King's Highway known as No. 417 and a point situate 150 metres measured easterly from its intersection with the centre line of the roadway known as McNeely Avenue in the Township of Beckwith.
13. That part of the King's Highway known as No. 7 in the City of Kitchener lying between a point situate at its intersection with the roadway known as Victoria Street and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street.
14. That part of the King's Highway known as Nos. 7 and 8 lying between a point situate at its intersection with the eastern limit of the roadway known as Waterloo Road 5 in the Township of Wilmot and a point situate at its intersection with the east junction of the King's Highway known as No. 8 where King's Highway No. 8 continues as the roadway known as King Street in the City of Kitchener.
15. That part of the King's Highway known as Nos. 7 and 115 lying between a point situate at its intersection with the west junction of the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan and a point situate at its intersection with the east junction of the King's Highway known as No. 7 in the City of Peterborough.
16. That part of the King's Highway known as No. 8 in the City of Kitchener lying between a point situate at its intersection with the King's Highway known as No. 401 and a point situate at its intersection with the east junction of the King's Highway known as No. 7 where King's Highway No. 7 continues as the roadway known as King Street.
17. That part of the King's Highway known as No. 11 in the City of Orillia lying between a point situate at its intersection with the roadway known as Memorial Avenue and a point situate at its intersection with the roadway known as Laclie Street.
18. That part of the King's Highway known as No. 11 lying between a point situate at its intersection with the roadway known as Muskoka Road 169 (also known as Bethune Drive) in the Town of Gravenhurst and a point situate at its intersection with the north junction of the King's Highway known as No. 592 in the Territorial District of Parry Sound.
19. That part of the King's Highway known as No. 11 lying between a point situate at its intersection with the south junction of the King's Highway known as No. 17 in the City of North Bay and a point situate at its intersection with the roadway known as Goreville Road in the District of Parry Sound.
20. That part of the King's Highway known as Nos. 11 and 17 in the City of North Bay lying between a point situate at its intersection with the roadway known as Seymour Street and a point situate at its intersection with the King's Highway known as No. 11 (also known as Algonquin Avenue).
21. That part of the King's Highway known as Nos. 11 and 17 lying between a point situate at its intersection with the roadway known as Lakeshore Drive in the Township of MacGregor and a point situate at its intersection with the King's Highway known as No. 130 in the Municipality of Oliver Paipoonge.

22. That part of the King's Highway known as No. 17 in the City of North Bay lying between a point situate at its intersection with the King's Highway known as No. 11 (also known as Algonquin Avenue) and a point situate at its intersection with the roadway known as Gormanville Road.
23. That part of the King's Highway known as No. 17 in the City of Greater Sudbury lying between a point situate at its intersection with the middle junction of the roadway known as Municipal Road 55 and a point situate at its intersection with the west junction of the roadway known as Municipal Road 55.
24. That part of the King's Highway known as No. 58 in the City of Thorold lying between a point situate at its intersection with the King's Highway known as No. 406 and a point situate at its intersection with the westerly limit of the roadway known as Niagara Regional Road No. 57 (also known as Thorold Stone Road).
25. That part of the King's Highway known as No. 61 in the City of Thunder Bay lying between a point situate at its intersection with the King's Highway known as No. 11 and a point situate at its intersection with the roadway known as Chippewa Road.
26. That part of the King's Highway known as No. 85 lying between a point situate at its intersection with the King's Highway known as No. 7 (also known as Victoria Street) in the City of Kitchener and a point situate 385 metres measured northerly from its intersection with the centre line of the roadway known as Waterloo Regional Road 15 (also known as King Street) in the Township of Woolwich.
27. That part of the King's Highway known as No. 115 lying between a point situate at its intersection with the King's Highway known as Nos. 35 and 115 in the Municipality of Clarington and a point situate at its intersection with the King's Highway known as No. 7 in the Township of Cavan-Millbrook-North Monaghan.
28. That part of the King's Highway known as No. 137 lying between a point situate at its intersection with the King's Highway known as No. 401 in the Township of Leeds and The Thousand Islands and a point situate at its intersection with the border between Canada and the United States of America.
29. All of the King's Highway known as No. 7274 (also known as Highway 6/Airport Road Connection).

**3. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: February 20, 2008.

11/08

## ONTARIO REGULATION 46/08

made under the

### EDUCATION ACT

Made: January 30, 2008

Approved: February 13, 2008

Filed: February 29, 2008

Published on e-Laws: March 3, 2008

Printed in *The Ontario Gazette*: March 15, 2008

Amending Reg. 309 of R.R.O. 1990  
(Supervisory Officers)

Note: Regulation 309 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) The definition of “lawyer” in subsection 1 (1) of Regulation 309 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**



“lawyer” means a person licensed under the *Law Society Act* to practise law in Ontario as a barrister and solicitor; (“avocat”)

**(2) Subsection 1 (1) of the Regulation is amended by adding the following definition:**

“professional planner” means a person who is a member of the Ontario Professional Planners Institute;

**2. Subparagraph 3 ii of subsection 2.1 (1) of the Regulation is amended by striking out “lawyer or professional engineer” and substituting “lawyer, professional engineer or professional planner”.**

**3. Clause 3 (4) (a) of the Regulation is amended by striking out “lawyer or professional engineer” and substituting “lawyer, professional engineer or professional planner”.**

**4. This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 46/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 30 janvier 2008

approuvé le 13 février 2008

déposé le 29 février 2008

publié sur le site Lois-en-ligne le 3 mars 2008

imprimé dans la *Gazette de l'Ontario* le 15 mars 2008

modifiant le Règl. 309 des R.R.O. de 1990

(Agent de supervision)

Remarque : Le Règlement 309 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) La définition de «avocat» au paragraphe 1 (1) du Règlement 309 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :**

«avocat» Personne pourvue d'un permis délivré en vertu de la *Loi sur le Barreau* qui l'autorise à pratiquer le droit en Ontario en qualité d'avocat. («lawyer»)

**(2) Le paragraphe 1 (1) du Règlement est modifié par adjonction de la définition suivante :**

«planificateur professionnel» Membre de l'Institut des planificateurs professionnels de l'Ontario. («professional planner»)

**2. La sous-disposition 3 ii du paragraphe 2.1 (1) du Règlement est modifiée par substitution de «d'avocat, d'ingénieur ou de planificateur professionnel» à «d'avocat ou d'ingénieur».**

**3. L'alinéa 3 (4) a) du Règlement est modifié par substitution de «d'avocat, d'ingénieur ou de planificateur professionnel» à «d'avocat ou d'ingénieur».**

**4. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: January 30, 2008.  
Pris le : 30 janvier 2008.

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—03—22

**ONTARIO REGULATION 47/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: March 3, 2008

Filed: March 7, 2008

Published on e-Laws: March 10, 2008

Printed in *The Ontario Gazette*: March 22, 2008

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 1 of Part 6 of Schedule 150 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and following substituted:**

**District of Manitoulin — Township of Sandfield**

1. That part of the King's Highway known as No. 542 in the hamlet of Sandfield in the Township of Sandfield in the Territorial District of Manitoulin beginning at a point situate 495 metres measured easterly from its intersection with the centre line of the roadway known as Hutchinson Road and extending westerly for a distance of 765 metres.
2. This Regulation comes into force on the day it is filed.

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: March 3, 2008.

12/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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de la Loi de 2006 sur la législation**

2008—03—29

**ONTARIO REGULATION 48/08**

made under the

**LAND REGISTRATION REFORM ACT**

Made: January 22, 2008

Filed: March 10, 2008

Published on e-Laws: March 10, 2008

Printed in *The Ontario Gazette*: March 29, 2008

Amending O. Reg. 16/99

(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:

Column 1	Column 2
Lennox (No. 29)	May 29, 2006

- (2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:

Column 1	Column 2
Lennox (No. 29)	March 10, 2008

Made by:

TED McMEEKIN  
*Minister of Government and Consumer Services*

Date made: January 22, 2008.

13/08

**ONTARIO REGULATION 49/08**  
made under the  
**CORPORATIONS INFORMATION ACT**

Made: January 22, 2008  
Filed: March 10, 2008  
Published on e-Laws: March 11, 2008  
Printed in *The Ontario Gazette*: March 29, 2008

Amending Reg. 182 of R.R.O. 1990  
(General)

Note: Regulation 182 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. **Regulation 182 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**
8. The following persons or entities are prescribed for the purposes of section 21.2 of the Act:
  1. The Minister of Finance.
  2. The Minister of Revenue.
  3. The Canada Revenue Agency.
2. **This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 49/08**  
pris en application de la  
**LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES**

pris le 22 janvier 2008  
déposé le 10 mars 2008  
publié sur le site Lois-en-ligne le 11 mars 2008  
imprimé dans la *Gazette de l'Ontario* le 29 mars 2008

modifiant le Règl. 182 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 182 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. **Le Règlement 182 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :**
8. Les personnes ou entités suivantes sont prescrites pour l'application de l'article 21.2 de la Loi :
  1. Le ministre des Finances.
  2. Le ministre du Revenu.
  3. L'Agence du revenu du Canada.
2. **Le présent règlement entre en vigueur le jour de son dépôt.**

**ONTARIO REGULATION 50/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: March 3, 2008

Filed: March 10, 2008

Published on e-Laws: March 11, 2008

Printed in *The Ontario Gazette*: March 29, 2008Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Regulation 604 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Schedule 65 to Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

5. That part of the King's Highway known as No. 9 in the Town of Caledon in The Regional Municipality of Peel beginning at a point situate 30 metres measured westerly from its intersection with the centre line of the roadway known as Airport Road Regional Road 7 and extending westerly for a distance of 260 metres.

**2. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: March 3, 2008.

13/08

**ONTARIO REGULATION 51/08**

made under the

**LABORATORY AND SPECIMEN COLLECTION CENTRE LICENSING ACT**

Made: March 6, 2008

Filed: March 10, 2008

Published on e-Laws: March 11, 2008

Printed in *The Ontario Gazette*: March 29, 2008Amending Reg. 682 of R.R.O. 1990  
(Laboratories)

Note: Regulation 682 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 4 (1) of Regulation 682 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

7. That the ColonCancerCheck FOBT not be performed.

**(2) Section 4 of the Regulation is amended by adding the following subsections:**

(5) A laboratory is exempt from the condition in paragraph 7 of subsection (1) if it has entered into a Participation Agreement with the Ministry.

(6) In subsection (5),

“Participation Agreement” means an agreement between a laboratory and the Ministry under the Laboratory Services Funding Framework Agreement for the Colorectal Cancer Screening Program in which the laboratory agrees to conditions in respect of their participation in the program, including conditions that the laboratory will,

- (a) use the ColonCancerCheck FOBT kit for the purposes of the program,
- (b) distribute the ColonCancerCheck FOBT kits to,
  - (i) legally qualified medical practitioners,
  - (ii) registered nurses who hold an extended certificate of registration under the *Nursing Act, 1991*, and
  - (iii) pharmacies,
- (c) provide the ColonCancerCheck FOBT kits to participants accessing the program through Telehealth Ontario,
- (d) report on the distribution and provision of the ColonCancerCheck FOBT kits under clauses (b) and (c) to Cancer Care Ontario for the purposes of the Colorectal Cancer Screening Registry, and
- (e) participate in a quality assurance program that is designed for the program.

**2. Appendix C to the Regulation is amended by adding the following item:**

110. ColonCancerCheck FOBT.

**3. This Regulation comes into force on the later of April 1, 2008 and the day this Regulation is filed.**

## RÈGLEMENT DE L'ONTARIO 51/08

pris en application de la

## LOI AUTORISANT DES LABORATOIRES MÉDICAUX ET DES CENTRES DE PRÉLÈVEMENT

pris le 6 mars 2008

déposé le 10 mars 2008

publié sur le site Lois-en-ligne le 11 mars 2008

imprimé dans la *Gazette de l'Ontario* le 29 mars 2008

modifiant le Règl. 682 des R.R.O. de 1990

(Laboratoires)

Remarque : Le Règlement 682 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) Le paragraphe 4 (1) du Règlement 682 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la disposition suivante :**

7. Il est interdit d'effectuer un test RSOS dans le cadre du programme ContrôleCancerColorectal.

**(2) L'article 4 du Règlement est modifié par adjonction des paragraphes suivants :**

(5) Tout laboratoire qui a conclu avec le ministère une entente de participation est exempté de la condition énoncée à la disposition 7 du paragraphe (1).

(6) La définition qui suit s'applique au paragraphe (5).

«entente de participation» Entente conclue entre un laboratoire et le ministère, aux termes de l'accord-cadre de financement des services de laboratoire qui s'inscrit dans le cadre du programme de dépistage du cancer colorectal, et dans laquelle le laboratoire accepte des conditions à l'égard de leur participation au programme, y compris des conditions selon lesquelles le laboratoire, à la fois :

- a) utilisera la trousse RSOS dans le cadre du programme ContrôleCancerColorectal aux fins de celui-ci;
- b) distribuera des troupes RSOS dans le cadre du programme ContrôleCancerColorectal aux personnes et entités suivantes :
  - (i) les médecins dûment qualifiés,
  - (ii) les infirmières autorisées ou infirmiers autorisés qui sont titulaires d'un certificat d'inscription supérieur aux termes de la *Loi de 1991 sur les infirmières et infirmiers*,



(iii) les pharmacies;

- c) fournira des troussees RSOS dans le cadre du programme ContrôleCancerColorectal aux participants qui ont accès au programme par l'entremise de Télésanté Ontario;
- d) communiquera les résultats sur la distribution et la fourniture des troussees RSOS dans le cadre du programme ContrôleCancerColorectal en application des alinéas b) et c) à Action Cancer Ontario aux fins du registre de dépistage du cancer colorectal;
- e) participera au programme d'assurance de la qualité qui est conçu pour le programme.

**2. L'annexe C du Règlement est modifiée par adjonction du numéro suivant :**

110. RSOS dans le cadre du programme ContrôleCancerColorectal.

**3. Le présent règlement entre en vigueur le 1<sup>er</sup> avril 2008 ou, s'il lui est postérieur, le jour de son dépôt.**

13/08

## ONTARIO REGULATION 52/08

made under the

### HEALTH INSURANCE ACT

Made: March 6, 2008

Filed: March 10, 2008

Published on e-Laws: March 11, 2008

Printed in *The Ontario Gazette*: March 29, 2008

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The definition of “schedule of laboratory benefits” in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

- 6. The Ministry of Health and Long-Term Care document titled “Addendum Dated January 14, 2008 (Effective April 1, 2008) to the Schedule of Benefits for Laboratory Services”.

**2. Schedule 22 to the Regulation is amended by adding the following item:**

46.1	L179	ColonCancerCheck FOBT
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**3. This Regulation comes into force on April 1, 2008.**

13/08

**ONTARIO REGULATION 53/08**

made under the

**FISH AND WILDLIFE CONSERVATION ACT, 1997**

Made: March 12, 2008

Filed: March 12, 2008

Published on e-Laws: March 13, 2008

Printed in *The Ontario Gazette*: March 29, 2008

Amending O. Reg. 670/98

(Open Season — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The Table to Ontario Regulation 670/98 entitled “Wildlife Tables — Open Seasons List of Tables” is revoked.

2. Item 32 of Table 7 to the Regulation is revoked and the following substituted:

32.	Wild Turkey	45, 48, 53, 55B, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66A, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83A, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95	From April 25, or if April 25 falls on a Saturday or Sunday, the Monday immediately following April 25, and ending on May 31.	½ hour before sunrise to 7 p.m.	As provided in Part VI of Ontario Regulation 665/98 (Hunting) made under the Act	As provided in Part VI of Ontario Regulation 665/98 (Hunting) made under the Act
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3. This Regulation comes into force on the day it is filed.

Made by:

DONNA H. CANSFIELD  
Minister of Natural Resources

Date made: March 12, 2008.

13/08

**ONTARIO REGULATION 54/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: March 3, 2008

Filed: March 13, 2008

Published on e-Laws: March 17, 2008

Printed in *The Ontario Gazette*: March 29, 2008

Amending Reg. 619 of R.R.O. 1990

(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) Paragraph 22 of Part 2 of Schedule 13 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**Thunder Bay — City of Thunder Bay — Municipality of Oliver Paipoonge**

22. That part of the King's Highway known as No. 11 in the Territorial District of Thunder Bay lying between a point situate 1000 metres measured westerly from its intersection with the King's Highway known as No. 61 in the City of Thunder Bay and a point situate at its intersection with the roadway known as Pole Line Road in the Municipality of Oliver Paipoonge.

**(2) Paragraph 7 of Part 4 of Schedule 13 to the Regulation is revoked and the following substituted:**

**Thunder Bay — City of Thunder Bay**

7. That part of the King's Highway known as No. 11 in the City of Thunder Bay in the Territorial District of Thunder Bay beginning at a point situate at its intersection with the King's Highway known as No. 61 and extending westerly for a distance of 1000 metres.

**2. (1) Paragraph 30 of Part 2 of Schedule 21 to the Regulation is revoked and the following substituted:**

**Thunder Bay — City of Thunder Bay — Municipality of Oliver Paipoonge**

30. That part of the King's Highway known as No. 17 in the Territorial District of Thunder Bay lying between a point situate 1000 metres measured westerly from its intersection with the King's Highway known as No. 61 in the City of Thunder Bay and a point situate at its intersection with the roadway known as Pole Line Road in the Municipality of Oliver Paipoonge.

**(2) Paragraph 1 Part 4 of Schedule 21 to the Regulation is revoked and the following substituted:**

**Thunder Bay — City of Thunder Bay**

1. That part of the King's Highway known as No. 17 in the City of Thunder Bay in the Territorial District of Thunder Bay beginning at a point situate at its intersection with the King's Highway known as No. 61 and extending westerly for a distance of 1000 metres.

**3. This Regulation comes into force on the day it is filed.**

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: March 3, 2008.

13/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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de la Loi de 2006 sur la législation**

2008—04—05

**ONTARIO REGULATION 55/08**

made under the

**COURTS OF JUSTICE ACT**

Made: February 5, 2008

Approved: March 18, 2008

Filed: March 19, 2008

Published on e-Laws: March 20, 2008

Printed in *The Ontario Gazette*: April 5, 2008

Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

Note: Regulation 194 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Subrule 14.08 (5) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
2. Subrule 24.1.04 (4) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
3. Subrule 24.1.09.1 (3) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
4. Rule 48.11 of the Regulation is revoked and the following substituted:

**ACTIONS STRUCK OFF TRIAL LIST**

48.11 Where an action is struck off a trial list, it shall not thereafter be placed on any trial list except,

- (a) in the case of an action struck off the list by a judge, with leave of a judge; or
- (b) in any other case, with leave of the court.

5. Subrule 48.14 (3.1) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
6. Subrule 77.01 (1.3) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
7. Subrule 77.11 (1.4) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
8. Subrule 77.14 (12) of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
9. Rule 78.14 of the Regulation is amended by striking out “May 6, 2008” at the end and substituting “July 1, 2009”.
10. The Table of Forms to the Regulation is amended by striking out,

16B	Affidavit of Service	July 1, 2007
-----	----------------------	--------------

and substituting:

16B	Affidavit of Service	January 1, 2008
-----	----------------------	-----------------

11. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 10 comes into force on July 2, 2008.

## RÈGLEMENT DE L'ONTARIO 55/08

pris en application de la

### LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 5 février 2008

approuvé le 18 mars 2008

déposé le 19 mars 2008

publié sur le site Lois-en-ligne le 20 mars 2008

imprimé dans la *Gazette de l'Ontario* le 5 avril 2008

modifiant le Règl. 194 des R.R.O. de 1990

(Règles de procédure civile)

Remarque : Le Règlement 194 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Le paragraphe 14.08 (5) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

2. Le paragraphe 24.1.04 (4) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

3. Le paragraphe 24.1.09.1 (3) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

4. La règle 48.11 du Règlement est abrogée et remplacée par ce qui suit :

#### ACTIONS RADIÉES DU RÔLE

48.11 Une action radiée d'un rôle ne peut être inscrite de nouveau sur aucun rôle :

- a) sans l'autorisation d'un juge, dans le cas d'une action radiée du rôle par un juge;
- b) sans l'autorisation du tribunal, dans les autres cas.

5. Le paragraphe 48.14 (3.1) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

6. Le paragraphe 77.01 (1.3) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

7. Le paragraphe 77.11 (1.4) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

8. Le paragraphe 77.14 (12) du Règlement est modifié par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin du paragraphe.

9. La règle 78.14 du Règlement est modifiée par substitution de «1<sup>er</sup> juillet 2009» à «6 mai 2008» à la fin de la règle.

10. Le tableau des formules du Règlement est modifié par substitution de ce qui suit :

16B	Affidavit de signification	1 <sup>er</sup> janvier 2008
-----	----------------------------	------------------------------

à ce qui suit :

16B	Affidavit de signification	1 <sup>er</sup> juillet 2007
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11. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) L'article 10 entre en vigueur le 2 juillet 2008.

**ONTARIO REGULATION 56/08**

made under the

**COURTS OF JUSTICE ACT**

Made: February 5, 2008  
 Approved: March 18, 2008  
 Filed: March 19, 2008  
 Published on e-Laws: March 20, 2008  
 Printed in *The Ontario Gazette*: April 5, 2008

Amending O. Reg. 258/98  
 (Rules of the Small Claims Court)

Note: Ontario Regulation 258/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subparagraph 1 iv of subrule 7.01 (2) of Ontario Regulation 258/98 is revoked and the following substituted:**

- iv. The name, address, telephone number, fax number if any, and Law Society of Upper Canada registration number if any, of the lawyer or agent representing the plaintiff or, if the plaintiff is self-represented, the plaintiff's address, telephone number and fax number if any.

**2. Subrule 10.05 (2) of the Regulation is amended by striking out “11.03” at the end and substituting “11.04”.**

**3. (1) Paragraph 2 of subrule 11.1.01 (1) of the Regulation is revoked and the following substituted:**

2. No defence has been filed.

**(2) Paragraph 2 of subrule 11.1.01 (2) of the Regulation is revoked.**

**(3) Clause 11.1.01 (4) (b) of the Regulation is amended by striking out “paragraphs 2, 3 and 4” and substituting “paragraphs 3 and 4”.**

**4. The Table of Forms to the Regulation is amended by striking out,**

8A	Affidavit of Service	January 25, 2006
----	----------------------	------------------

. . . . .

20P	Affidavit for Enforcement Request	January 25, 2006
20Q	Notice of Garnishment Hearing	January 25, 2006

and substituting:

8A	Affidavit of Service	February 1, 2008
----	----------------------	------------------

. . . . .

20P	Affidavit for Enforcement Request	February 1, 2008
20Q	Notice of Garnishment Hearing	February 1, 2008

**5. This Regulation comes into force on July 1, 2008.**



**RÈGLEMENT DE L'ONTARIO 56/08**

pris en application de la

**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 5 février 2008

approuvé le 18 mars 2008

déposé le 19 mars 2008

publié sur le site Lois-en-ligne le 20 mars 2008

imprimé dans la *Gazette de l'Ontario* le 5 avril 2008

modifiant le Règl. de l'Ont. 258/98

(Règles de la Cour des petites créances)

Remarque : Le Règlement de l'Ontario 258/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. La sous-disposition 1 iv du paragraphe 7.01 (2) du Règlement de l'Ontario 258/98 est abrogée et remplacée par ce qui suit :

- iv. Les nom, adresse et numéro de téléphone, ainsi que le numéro de télécopieur et le numéro d'inscription au Barreau du Haut-Canada, le cas échéant, de l'avocat ou du mandataire représentant le demandeur ou, si celui-ci s'autoreprésente, son adresse et son numéro de téléphone, ainsi que son numéro de télécopieur, le cas échéant.

2. Le paragraphe 10.05 (2) du Règlement est modifié par substitution de «règle 11.04» à «règle 11.03» à la fin du paragraphe.

3. (1) La disposition 2 du paragraphe 11.1.01 (1) du Règlement est abrogée et remplacée par ce qui suit :

2. Aucune défense n'a été déposée.

(2) La disposition 2 du paragraphe 11.1.01 (2) du Règlement est abrogée.

(3) L'alinéa 11.1.01 (4) b) du Règlement est modifié par substitution de «dispositions 3 et 4» à «dispositions 2, 3 et 4».

4. Le tableau des formules du Règlement est modifié par substitution de ce qui suit :

8A	Affidavit de signification	1 <sup>er</sup> février 2008
----	----------------------------	------------------------------

. . . . .

20P	Affidavit relatif à une demande d'exécution forcée	1 <sup>er</sup> février 2008
20Q	Avis d'audience sur la saisie-arrêt	1 <sup>er</sup> février 2008

à :

8A	Affidavit de signification	25 janvier 2006
----	----------------------------	-----------------

. . . . .

20P	Affidavit relatif à une demande d'exécution forcée	25 janvier 2006
20Q	Avis d'audience sur la saisie-arrêt	25 janvier 2006

5. Le présent règlement entre en vigueur le 1<sup>er</sup> juillet 2008.



**ONTARIO REGULATION 57/08**

made under the

**LAND REGISTRATION REFORM ACT**

Made: February 5, 2008

Filed: March 20, 2008

Published on e-Laws: March 20, 2008

Printed in *The Ontario Gazette*: April 5, 2008

Amending O. Reg. 16/99

(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:

Column 1	Column 2
Haldimand (No. 18)	July 24, 2006

- (2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:

Column 1	Column 2
Haldimand (No. 18)	March 20, 2008

Made by:

TED McMEEKIN

*Minister of Government and Consumer Services*

Date made: February 5, 2008.

14/08

**ONTARIO REGULATION 58/08**

made under the

**ONTARIO ENERGY BOARD ACT, 1998**

Made: March 19, 2008

Filed: March 20, 2008

Published on e-Laws: March 25, 2008

Printed in *The Ontario Gazette*: April 5, 2008

Amending O. Reg. 95/05

(Classes of Consumers and Determination of Rates)

Note: Ontario Regulation 95/05 has not previously been amended.

1. Sections 2, 3 and 4 of Ontario Regulation 95/05 are revoked and the following substituted:

Class of consumers, s. 79.16

4. (1) Before May 1, 2009, the following are prescribed as the class of consumers for the purposes of subsection 79.16 (1) of the Act:

1. Designated consumers.

2. Low-volume consumers.

(2) On and after May 1, 2009, the following are prescribed as the class of consumers for the purposes of subsection 79.16 (1) of the Act:

1. Low-volume consumers.

2. A consumer who has a demand of 50 kilowatts or less.

3. A consumer who has an account with a distributor, if the account relates to,

i. a dwelling,

ii. a property as defined in the *Condominium Act, 1998*,

iii. a residential complex as defined in the *Residential Tenancies Act, 2006*, or

iv. a property that includes one or more dwellings and that is owned or leased by a co-operative as defined in the *Co-operative Corporations Act*.

4. A consumer who annually uses at least 150,000 but not more than 250,000 kilowatt hours of electricity and who is not otherwise eligible for treatment under clause 79.16 (1) (b) of the Act pursuant to a regulation made under the Act.

5. A consumer who has an account with a distributor if,

i. the consumer carries on a farming business within the meaning of the *Farm Registration and Farm Organizations Funding Act, 1993*,

ii. either the consumer holds a valid registration number assigned under the *Farm Registration and Farm Organizations Funding Act, 1993* or the consumer's obligation to file a farming business registration form was waived pursuant to an order made under subsection 22 (6) of that Act, and

iii. the consumer is not otherwise eligible for treatment under clause 79.16 (1) (b) of the Act with respect to its farming business pursuant to a regulation made under the Act.

**2. This Regulation comes into force on the day it is filed.**

14/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—04—12

**ONTARIO REGULATION 59/08**

made under the

**LAW SOCIETY ACT**

Made: February 19, 2008

Approved: March 19, 2008

Filed: March 25, 2008

Published on e-Laws: March 26, 2008

Printed in *The Ontario Gazette*: April 12, 2008

Amending Reg. 709 of R.R.O. 1990

(Law Foundation)

Note: Regulation 709 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 1 of Regulation 709 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:**

“account holder” means a licensee or a professional corporation to whom section 57 of the Act applies; (“titulaire d’un compte”)

**(2) The definition of “banker” in section 1 of the Regulation is amended by striking out “a provincial savings office” and substituting “a credit union or league to which the *Credit Union and Caisses Populaires Act, 1994* applies”.**

**(3) Section 1 of the Regulation is amended by adding the following subsection:**

(2) In this Regulation, when a form is referred to by number, the reference is to the form with that number that is described in the Table of Forms at the end of this Regulation and is available from the Foundation and, in the case of Form 1, is also available from the Society.

**2. Section 2 of the Regulation is revoked and the following substituted:**

**2. (1) Every account holder shall file the following reports:**

1. With respect to every mixed trust account held by the account holder in a given year, an annual report in Form 1 filed on or before March 31 of the following year.
2. With respect to each mixed trust account opened by the account holder, a report in Form 2 filed no later than 30 days after the day on which the account holder opens the account.
3. With respect to each mixed trust account closed by the account holder, a report in Form 3 filed no later than 30 days after the day on which the account holder closes the account.

(2) The Foundation may request that an account holder file a supplementary report in order to confirm or clarify information provided under this Regulation and an account holder who receives such a request shall file the supplementary report, in Form 4, no later than 30 days after receiving the request.

(3) The report referred to in paragraph 1 of subsection (1) may be filed by,

(a) providing the signed report to the Foundation; or

(b) submitting an electronic copy of the report to the Foundation through the Society’s website.

(4) The Society shall ensure that reports submitted through its website under clause (3) (b) are delivered to the Foundation.

(5) A report referred to in paragraph 2 or 3 of subsection (1) or in subsection (2) may be filed by,

(a) providing the signed report to the Foundation; or

(b) submitting a copy of the signed report to the Foundation by fax or email.



3. (1) Section 3 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

3. Every account holder shall direct his or her banker,

(2) Clause 3 (b) of the Regulation is amended by striking out "to give written notice to the member and to the Foundation" at the beginning and substituting "to give notice to the Foundation".

4. The Regulation is amended by adding the following Table:

TABLE OF FORMS

Form Number	Form Title	Date of Form
1	Annual Report to The Law Foundation of Ontario	February 1, 2008
2	Report on Opening a Mixed Trust Account	February 1, 2008
3	Report on Closing a Mixed Trust Account	February 1, 2008
4	Supplementary Report on a Mixed Trust Account	February 1, 2008

5. Form 1 of the Regulation is revoked.

6. This Regulation comes into force on January 1, 2009.

## RÈGLEMENT DE L'ONTARIO 59/08

pris en application de la

### LOI SUR LE BARREAU

pris le 19 février 2008

approuvé le 19 mars 2008

déposé le 25 mars 2008

publié sur le site Lois-en-ligne le 26 mars 2008

imprimé dans la *Gazette de l'Ontario* le 12 avril 2008

modifiant le Règl. 709 des R.R.O. de 1990

(Fondation du droit)

Remarque : Le Règlement 709 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. (1) L'article 1 du Règlement 709 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la définition suivante :

«titulaire d'un compte» Titulaire de permis ou société professionnelle auxquels s'applique l'article 57 de la Loi. («account holder»)

(2) La définition de «banque» à l'article 1 du Règlement est modifiée par substitution de «credit union, caisse populaire ou fédération à laquelle s'applique la *Loi de 1994 sur les caisses populaires et les credit unions*,» à «caisse d'épargne provinciale».

(3) L'article 1 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Dans le présent règlement, lorsqu'une formule est mentionnée par numéro, la mention renvoie à la formule qui porte ce numéro et qui est mentionnée dans le tableau des formules figurant à la fin du présent règlement et disponible auprès de la Fondation. La formule 1 est également disponible auprès du Barreau.

2. L'article 2 du Règlement est abrogé et remplacé par ce qui suit :

2. (1) Le titulaire d'un compte dépose les rapports suivants :

1. Relativement à tout compte mixte en fiducie détenu par le titulaire du compte au cours d'une année donnée, un rapport annuel rédigé selon la formule 1 et déposé au plus tard le 31 mars de l'année suivante.
2. Relativement à chaque compte mixte en fiducie ouvert par le titulaire du compte, un rapport rédigé selon la formule 2 et déposé au plus tard 30 jours après le jour d'ouverture du compte.



3. Relativement à chaque compte mixte en fiducie fermé par le titulaire du compte, un rapport rédigé selon la formule 3 et déposé au plus tard 30 jours après le jour de fermeture du compte.

(2) La Fondation peut demander au titulaire d'un compte de déposer un rapport supplémentaire afin de confirmer ou de préciser les renseignements fournis en application du présent règlement. Le titulaire du compte qui reçoit une telle demande dépose, au plus tard 30 jours après l'avoir reçue, le rapport supplémentaire rédigé selon la formule 4.

(3) Le rapport visé à la disposition 1 du paragraphe (1) peut être déposé :

- a) soit en fournissant le rapport signé à la Fondation;
- b) soit en présentant une copie électronique du rapport à la Fondation au moyen du site Web du Barreau.

(4) Le Barreau veille à ce que les rapports présentés au moyen de son site Web conformément à l'alinéa (3) b) soient remis à la Fondation.

(5) Le rapport visé à la disposition 2 ou 3 du paragraphe (1) ou au paragraphe (2) peut être déposé :

- a) soit en fournissant le rapport signé à la Fondation;
- b) soit en présentant par télécopie ou par courrier électronique une copie du rapport signé à la Fondation.

3. (1) L'article 3 du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

3. Tout titulaire d'un compte ordonne à sa banque :

. . . . .

(2) L'alinéa 3 b) du Règlement est modifié par substitution de «de donner à la Fondation un avis» à «de leur donner, ainsi qu'à la Fondation, un avis écrit».

4. Le Règlement est modifié par adjonction du tableau suivant :

TABLEAU DES FORMULES

Numéro de la formule	Titre de la formule	Date de la formule
1	Rapport annuel destiné à la Fondation du droit de l'Ontario	1 <sup>er</sup> février 2008
2	Rapport sur l'ouverture d'un compte mixte en fiducie	1 <sup>er</sup> février 2008
3	Rapport sur la fermeture d'un compte mixte en fiducie	1 <sup>er</sup> février 2008
4	Rapport supplémentaire sur un compte mixte en fiducie	1 <sup>er</sup> février 2008

5. La formule 1 du Règlement est abrogée.

6. Le présent règlement entre en vigueur le 1<sup>er</sup> janvier 2009.

Made by:  
Pris par :

THE BOARD OF TRUSTEES OF THE LAW FOUNDATION OF ONTARIO:  
LE CONSEIL D'ADMINISTRATION DE LA FONDATION DU DROIT DE L'ONTARIO :

LARRY BANACK  
*Chair*

MARK SANDLER  
*Trustee*

Date made: February 19, 2008.  
Pris le : 19 février 2008.

**ONTARIO REGULATION 60/08**

made under the

**ONTARIO WATER RESOURCES ACT**

Made: February 13, 2008

Filed: March 26, 2008

Published on e-Laws: March 27, 2008

Printed in *The Ontario Gazette*: April 12, 2008**LAKE SIMCOE PROTECTION****Definitions****1. In this Regulation,**

“Lake Simcoe Basin” means Lake Simcoe and the part of Ontario from which surface water drains into Lake Simcoe;

“sewage treatment plant” means a sewage works for which an approval is required under section 53 of the Act and that,

- (a) treats sewage from one or more buildings within the meaning of the *Building Code Act, 1992*, and
- (b) disposes of the treated sewage in a surface water body in the Lake Simcoe Basin.

**Total phosphorus discharge limit**

2. (1) Each owner of a sewage treatment plant listed in Column 2 of Table 1 shall ensure that, from April 1, 2008 to March 31, 2009, the plant does not discharge in treated sewage to a surface water body an amount of total phosphorus that exceeds the amount listed opposite each plant in Column 4 of Table 1.

(2) If, during the period mentioned in subsection (1), a sewage treatment plant listed in Column 2 of Table 1 is replaced by a new sewage treatment plant,

- (a) the reference to the sewage treatment plant in Column 2 of Table 1 is deemed to refer to the new sewage treatment plant; and
- (b) the owner of the new sewage treatment plant shall include, in calculating the amount of total phosphorus for the purpose of subsection (1), the amount of total phosphorus already discharged during the period by the sewage treatment plant being replaced.

(3) If an approval granted under section 53 of the Act gives the owner of the sewage treatment plant temporary relief from complying with a total phosphorus discharge limit specified in the approval, the amount of total phosphorus discharged by the plant during the temporary relief period shall not be considered when determining whether the owner has complied with subsection (1).

**Sampling requirements**

3. (1) The Director appointed in respect of subsection 53 (3) of the Act shall, as soon as reasonably possible, provide the Ministry of the Environment’s Guideline, Procedure F-10-1, “Procedures for Sampling and Analysis: Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only)” to the owners of the sewage treatment plants listed in Table 1 as items 2, 4 and 7.

(2) Subject to subsections (3) and (4), the owners of the sewage treatment plants listed in Table 1 as items 2, 4 and 7 shall ensure that, from April 1, 2008 to March 31, 2009, samples of treated sewage are taken and tested for total phosphorus in accordance with the requirements of the Guideline provided by the Director under subsection (1).

(3) The samples referred to in subsection (2) shall be taken,

- (a) immediately before a batch of treated sewage is discharged from the sewage treatment plant to a surface water body; and
- (b) once a week in the period during which a batch of treated sewage is being discharged from the sewage treatment plant to the surface water body.

(4) This section does not apply if a sewage treatment plant mentioned in subsection (1) is replaced by a new sewage treatment plant.

**Monthly calculation**

4. (1) Each owner of a sewage treatment plant listed in Column 2 of Table 1 shall calculate the average amount of total phosphorus discharged from the plant for each month from April 1, 2008 to March 31, 2009.

(2) In calculating the average amount of total phosphorus under subsection (1), the owner shall, in a manner specified by the Director appointed in respect of subsection 53 (3) of the Act, base the calculation on,

- (a) the sampling and testing results obtained under section 3, if that section applies; or
  - (b) the sampling and testing results obtained in accordance with the approval issued for the sewage treatment plant under section 53 of the Act, in every other case.
- (3) Subsection (1) does not apply to a sewage treatment plant in respect of a month if the plant does not discharge treated sewage to a surface water body during that month.
- (4) Each owner shall record the amount calculated under subsection (1) and make it available to a provincial officer upon request.

#### **Final report**

5. (1) Each owner of a sewage treatment plant listed in Column 2 of Table 1 shall, on or before June 30, 2009, submit a report to the Director appointed in respect of subsection 53 (3) of the Act, setting out for the period from April 1, 2008 to March 31, 2009,

- (a) the amount of total phosphorus discharged from the plant for each month; and
- (b) the amount of total phosphorus discharged from the plant for the entire period.

(2) The report referred to in subsection (1) shall be submitted in the form and manner approved by the Director and shall contain any additional information, as specified by the Director in writing, that relates to the discharge of total phosphorus from the sewage treatment plant during that period.

#### **Prohibition, new sewage treatment plants**

6. (1) No person shall cause or permit the establishment of a new sewage treatment plant in the Lake Simcoe Basin.

(2) Despite subsection (1), an owner of a sewage treatment plant listed in Column 2 of Table 1 may replace the plant with a new sewage treatment plant.

#### **Approval by Director of new sewage works: new development**

7. (1) This section applies in respect of every application for an approval under section 53 of the *Ontario Water Resources Act* for the establishment in the Lake Simcoe Basin of a new sewage works that,

- (a) discharges treated sewage to a surface water body in the Lake Simcoe Basin; and
- (b) is designed to manage storm water from a development that is approved, on or after the day this Regulation comes into force, under the *Planning Act* or the *Condominium Act, 1998*.

(2) The Director appointed in respect of subsection 53 (4) of the Act shall refuse to issue an approval unless he or she is satisfied that the proposed sewage works has been designed to satisfy the Enhanced Protection level specified in Chapter 3 of the Ministry's "Storm Water Management Planning and Design Manual 2003", available from the Ministry.

(3) Subsection (2) does not apply if the applicant for the approval demonstrates to the satisfaction of the Director that,

- (a) the proposed sewage works is intended to serve development located in an area of settlement within the meaning of the *Planning Act* that is,
  - (i) an infill development, or
  - (ii) the redevelopment of one or more properties; and
- (b) having regard to the manual mentioned in subsection (2), it is impracticable to establish works that comply with the level mentioned in subsection (2).

#### **Obligations under approvals, orders, etc.**

8. For greater certainty, subject to subsection 107 (5) of the Act, the requirements of this Regulation are in addition to and independent of requirements in an approval, order, direction or other instrument issued under any Act.

#### **Revocation of provisions of this Regulation**

9. Sections 6, 7 and 8 are revoked on April 1, 2009.

#### **Commencement**

10. This Regulation comes into force on the day it is filed.



TABLE 1

Column 1	Column 2	Column 3	Column 4
Item	Name of sewage treatment plant	Location	Amount of total phosphorus that may be discharged from April 1, 2008 to March 31, 2009 (expressed in kg)
1.	Uxbridge Brook Water Pollution Control Plant	129 Main Street North, Township of Uxbridge, Regional Municipality of Durham	142
2.	Beaverton River #1 Water Pollution Control Plant (Sunderland)	Lots 13 and 14, Concession 6, Township of Brock (Thorah), Regional Municipality of Durham	66
3.	Lake Simcoe (Beaverton) Water Pollution Control Plant	Lots 15 and 16, Concession 5, Township of Brock, Regional Municipality of Durham	104
4.	Beaverton River #2 Water Pollution Control Plant (Cannington)	303 Cameron Street, Township of Brock, Regional Municipality of Durham	128
5.	Schomberg Water Pollution Control Plant	Part of Lots 34 and 35, Concessions 7, 8 and 9, Township of King, Regional Municipality of York	75
6.	Sutton Water Pollution Control Plant	5741 Black River Road, Township of Georgina, Regional Municipality of York	148
7.	Holland Landing Lagoon Water Pollution Control Plant	19932 Cedar Street, Holland Landing, Town of Newmarket, Regional Municipality of York	149
8.	Keswick Water Pollution Control Plant	153 Morton Road, Town of Georgina, Regional Municipality of York	939
9.	Mount Albert Water Pollution Control Plant	5866 Doane Road, Town of East Gwillimbury, Regional Municipality of York	56
10.	Barrie Water Pollution Control Centre	249 Bradford Street, City of Barrie, County of Simcoe	3,133
11.	Bradford Water Pollution Control Plant	225 Dissette Street, Bradford West, Town of Gwillimbury, County of Simcoe	361
12.	Innisfil Water Pollution Control Plant	1578 St. John's Road, Town of Innisfil, County of Simcoe	351
13.	Orillia Wastewater Treatment Centre	40 Kitchener Street, City of Orillia, County of Simcoe	1,438
14.	Lagoon City Sewage Treatment Plant	Part of Lot 14, Concession 5, (155 Laguna Parkway), Township of Ramara, County of Simcoe	200
15.	Silani Sweet Cheese Ltd	Part of Lot 2, Concession 1, 4205 Line 2, Town of Bradford West Gwillimbury, County of Simcoe	20

15/08



**ONTARIO REGULATION 61/08**

made under the

**INSURANCE ACT**

Made: March 19, 2008

Filed: March 26, 2008

Published on e-Laws: March 27, 2008

Printed in *The Ontario Gazette*: April 12, 2008

Amending O. Reg. 7/00

(Unfair or Deceptive Acts or Practices)

Note: Ontario Regulation 7/00 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 3 (4) of Ontario Regulation 7/00 is revoked and the following substituted:**

(4) For the purposes of paragraphs 1 to 5 of subsection (2), a person who provides goods or services does not include a person who, pursuant to the *Law Society Act*,

(a) is authorized to practise law in Ontario as a barrister and solicitor; or

(b) is authorized to provide legal services in Ontario other than as a barrister and solicitor.

**2. Section 4 of the Regulation is revoked.****3. This Regulation comes into force on the later of May 1, 2008 and the day it is filed.****RÈGLEMENT DE L'ONTARIO 61/08**

pris en application de la

**LOI SUR LES ASSURANCES**

pris le 19 mars 2008

déposé le 26 mars 2008

publié sur le site Lois-en-ligne le 27 mars 2008

imprimé dans la *Gazette de l'Ontario* le 12 avril 2008

modifiant le Règl. de l'Ont. 7/00

(Actes ou pratiques malhonnêtes ou mensongers)

Remarque : Le Règlement de l'Ontario 7/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. Le paragraphe 3 (4) du Règlement de l'Ontario 7/00 est abrogé et remplacé par ce qui suit :**

(4) Pour l'application des dispositions 1 à 5 du paragraphe (2), est exclue des personnes qui fournissent des biens ou des services la personne qui, conformément à la *Loi sur le Barreau* :

a) soit est autorisée à pratiquer le droit en Ontario en qualité d'avocat;

b) soit est autorisée à fournir des services juridiques en Ontario autrement qu'en qualité d'avocat.

**2. L'article 4 du Règlement est abrogé.****3. Le présent règlement entre en vigueur le 1<sup>er</sup> mai 2008 ou, s'il lui est postérieur, le jour de son dépôt.**

**ONTARIO REGULATION 62/08**

made under the

**INSURANCE ACT**

Made: March 19, 2008

Filed: March 26, 2008

Published on e-Laws: March 27, 2008

Printed in *The Ontario Gazette*: April 12, 2008

Amending Reg. 664 of R.R.O. 1990

(Automobile Insurance)

Note: Regulation 664 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 18 of Regulation 664 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**PUBLIC ADJUSTERS — STATUTORY ACCIDENT BENEFITS (SECTION 398 OF THE ACT)**

**18.** A person who is authorized to provide legal services in Ontario pursuant to the *Law Society Act* is exempt from subsection 398 (1) of the *Insurance Act* in respect of a claim for benefits under the Statutory Accident Benefits Schedule.

**2. Section 19 of the Regulation is revoked.**

**3. This Regulation comes into force on the later of May 1, 2008 and the day it is filed.**

15/08

**ONTARIO REGULATION 63/08**

made under the

**INSURANCE ACT**

Made: March 19, 2008

Filed: March 26, 2008

Published on e-Laws: March 27, 2008

Printed in *The Ontario Gazette*: April 12, 2008

Amending O. Reg. 403/96

(Statutory Accident Benefits Schedule — Accidents on or after November 1, 1996)

Note: Ontario Regulation 403/96 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsections 39 (16), (16.1) and (17) of Ontario Regulation 403/96 are revoked and the following substituted:**

(16) An assessment of attendant care needs under this section in respect of accidents occurring on or after March 31, 2008 shall be in the form of and contain the information required in the “Assessment of Attendant Care Needs” dated March 1, 2008 and available on the website for the Financial Services Commission of Ontario.

(17) An assessment of attendant care needs under this section in respect of accidents occurring on or after February 1, 2007 but before March 31, 2008 shall be in the form of and contain the information required in the “Assessment of Attendant Care Needs” dated December 31, 2006 and available on the website for the Financial Services Commission of Ontario.

(18) An assessment of attendant care needs under this section in respect of accidents occurring on or after March 1, 2006 but before February 1, 2007 shall be in the form of and contain the information required in the “Assessment of Attendant Care Needs” dated December 31, 2005, as it read on March 1, 2006 and available on the website for the Financial Services Commission of Ontario.

(19) An assessment of attendant care needs under this section in respect of accidents occurring before March 1, 2006 shall be in Form 1, as it read on February 28, 2006 and available on the website for the Financial Services Commission of Ontario.

**2. This Regulation comes into force on the later of March 31, 2008 and the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 63/08**

pris en application de la

**LOI SUR LES ASSURANCES**

pris le 19 mars 2008

déposé le 26 mars 2008

publié sur le site Lois-en-ligne le 27 mars 2008

imprimé dans la *Gazette de l'Ontario* le 12 avril 2008

modifiant le Règl. de l'Ont. 403/96

(Annexe sur les indemnités d'accident légales — accidents survenus le 1<sup>er</sup> novembre 1996 ou après ce jour)

Remarque : Le Règlement de l'Ontario 403/96 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. Les paragraphes 39 (16), (16.1) et (17) du Règlement de l'Ontario 403/96 sont abrogés et remplacés par ce qui suit :**

(16) L'évaluation des besoins en soins auxiliaires prévue au présent article qui vise des accidents survenus le 31 mars 2008 ou après cette date est rédigée selon la formule intitulée «Évaluation des besoins en soins auxiliaires», datée du 1<sup>er</sup> mars 2008, qui se trouve sur le site Web de la Commission des services financiers de l'Ontario, et elle contient les renseignements qui y sont exigés.

(17) L'évaluation des besoins en soins auxiliaires prévue au présent article qui vise des accidents survenus le 1<sup>er</sup> février 2007 ou après cette date, mais avant le 31 mars 2008, est rédigée selon la formule intitulée «Évaluation des besoins en soins auxiliaires», datée du 31 décembre 2006, qui se trouve sur le site Web de la Commission des services financiers de l'Ontario, et elle contient les renseignements qui y sont exigés.

(18) L'évaluation des besoins en soins auxiliaires prévue au présent article qui vise des accidents survenus le 1<sup>er</sup> mars 2006 ou après cette date, mais avant le 1<sup>er</sup> février 2007, est rédigée selon la formule intitulée «Évaluation des besoins en soins auxiliaires», datée du 31 décembre 2005, telle qu'elle existait le 1<sup>er</sup> mars 2006, qui se trouve sur le site Web de la Commission des services financiers de l'Ontario, et elle contient les renseignements qui y sont exigés.

(19) L'évaluation des besoins en soins auxiliaires prévue au présent article qui vise des accidents survenus avant le 1<sup>er</sup> mars 2006 est rédigée selon la formule 1, telle qu'elle existait le 28 février 2006, qui se trouve sur le site Web de la Commission des services financiers de l'Ontario.

**2. Le présent règlement entre en vigueur le 31 mars 2008 ou, s'il lui est postérieur, le jour de son dépôt.**

15/08

**ONTARIO REGULATION 64/08**

made under the

**COMPULSORY AUTOMOBILE INSURANCE ACT**

Made: March 19, 2008

Filed: March 26, 2008

Published on e-Laws: March 27, 2008

Printed in *The Ontario Gazette*: April 12, 2008

Revoking O. Reg. 402/96  
(Insurance Card)

Note: Ontario Regulation 402/96 has not previously been amended.

**1. Ontario Regulation 402/96 is revoked.**

**2. This Regulation comes into force on the day it is filed.**

15/08



**ONTARIO REGULATION 65/08**

made under the

**LABORATORY AND SPECIMEN COLLECTION CENTRE LICENSING ACT**

Made: March 27, 2008

Filed: March 28, 2008

Published on e-Laws: March 31, 2008

Printed in *The Ontario Gazette*: April 12, 2008Amending Reg. 682 of R.R.O. 1990  
(Laboratories)

Note: Regulation 682 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Clause 9 (1) (c) of Regulation 682 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

(c) report all positive laboratory findings that indicate the presumptive presence or presence of any reportable disease within the meaning of the *Health Protection and Promotion Act* to the medical officer of health of the health unit in which the person who gives rise to the case resides within twenty-four hours after the test is conducted;

**2. This Regulation comes into force on the later of April 1, 2008 and the day this Regulation is filed.**

**RÈGLEMENT DE L'ONTARIO 65/08**

pris en application de la

**LOI AUTORISANT DES LABORATOIRES MÉDICAUX ET DES CENTRES DE PRÉLÈVEMENT**

pris le 27 mars 2008

déposé le 28 mars 2008

publié sur le site Lois-en-ligne le 31 mars 2008

imprimé dans la *Gazette de l'Ontario* le 12 avril 2008modifiant le Règl. 682 des R.R.O. de 1990  
(Laboratoires)

Remarque : Le Règlement 682 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'alinéa 9 (1) c) du Règlement 682 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :**

c) signale dans les 24 heures qui suivent l'exécution des tests tous les résultats de laboratoire positifs indiquant la présence présumée ou réelle d'une maladie à déclaration obligatoire au sens de la *Loi sur la protection et la promotion de la santé* au médecin-hygiéniste de la circonscription sanitaire où réside la personne qui est à l'origine du cas;

**2. Le présent règlement entre en vigueur le dernier en date du 1<sup>er</sup> avril 2008 et du jour de son dépôt.**

15/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).



**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—04—19

**ONTARIO REGULATION 66/08**

made under the

**ENVIRONMENTAL PROTECTION ACT**

Made: March 19, 2008

Filed: March 31, 2008

Published on e-Laws: April 1, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 153/04

(Records of Site Condition — Part XV.1 of the Act)

Note: Ontario Regulation 153/04 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Clauses 5 (2) (a) and (b) of Ontario Regulation 153/04 are revoked and the following substituted:**

- (a) the person holds a licence, limited licence or temporary licence under the *Professional Engineers Act*;
- (b) the person holds a certificate of registration under the *Professional Geoscientists Act, 2000* and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario;

**(2) Subsection 5 (5) of the Regulation is revoked.**

**2. Section 5 of the Regulation is revoked and the following substituted:**

**Qualified persons, other than risk assessment**

**5. (1) A person referred to in subsection (2) meets the qualifications to be a qualified person for the purposes of,**

- (a) conducting or supervising a phase one environmental site assessment;
- (b) conducting or supervising a phase two environmental site assessment; and
- (c) completing the certifications that must be completed by a qualified person in a record of site condition in respect of a property.

**(2) A person meets the qualifications to be a qualified person for the purposes of subsection (1) if,**

- (a) the person holds a licence, limited licence or temporary licence under the *Professional Engineers Act*; or
- (b) the person holds a certificate of registration under the *Professional Geoscientists Act, 2000* and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario.

**3. Part III of the Regulation is amended by adding the following section:**

**Additional purpose of Registry**

**7.1** For the purpose of paragraph 3 of subsection 168.3 (2) of the Act, the Registry has the purpose of facilitating public access to information respecting qualified persons.

**4. (1) Subsection 1 (1) and section 3 come into force on April 1, 2008.**

**(2) Subsection 1 (2) and this section come into force on the day this Regulation is filed.**

**(3) Section 2 comes into force on October 1, 2009.**

**ONTARIO REGULATION 67/08**

made under the

**MUNICIPAL ACT, 2001**

Made: March 31, 2008

Filed: March 31, 2008

Published on e-Laws: April 1, 2008

Printed in *The Ontario Gazette*: April 19, 2008**TAX MATTERS — REGIONAL MUNICIPALITY OF PEEL****Designation**

1. The Regional Municipality of Peel is designated for 2008 for the purposes of section 310 of the Act.

**Delegation**

2. (1) If The Regional Municipality of Peel passes a by-law under section 310 of the Act delegating the authority to establish tax ratios for 2008 to its lower-tier municipalities, a lower-tier municipality shall, for 2008,

- (a) use the tax ratios it establishes to calculate, with respect to each local municipality levy of the lower-tier municipality under section 312 of the Act, a separate tax rate on the assessment in each property class in the lower-tier municipality rateable for purposes of the local municipality levy; and
- (b) establish and levy, with respect to each upper-tier levy of The Regional Municipality of Peel under section 311 of the Act, a separate tax rate on the assessment in each property class in the lower-tier municipality rateable for purposes of the upper-tier levy sufficient to raise the lower-tier municipality's portion of the upper-tier levy calculated under section 3.

- (2) The tax rates the lower-tier municipality establishes under clause (1) (b) must be in the same proportion to each other as the tax ratios established by the lower-tier municipality for the property classes are to each other.

- (3) Subsections 311 (7) to (9) and (22) to (25) of the Act apply with necessary modifications to the tax rates established by the lower-tier municipality under clause (1) (b) as if the lower-tier municipality were an upper-tier municipality.

- (4) An upper-tier levy by-law of The Regional Municipality of Peel under section 311 of the Act shall set out a lower-tier municipality's portion of an upper-tier levy calculated under section 3 and shall not establish tax rates to be levied by the lower-tier municipality to raise the lower-tier municipality's portion.

**Portion to be raised**

3. For the purposes of the upper-tier levy or any special upper-tier levy of The Regional Municipality of Peel under section 311 of the Act, the portion to be raised in each lower-tier municipality shall be as follows:

Mississauga	62.202036%
Brampton	32.850376%
Caledon	4.947588%

**Revocation**

4. Ontario Regulation 127/07 is revoked.

**Commencement**

5. This Regulation comes into force on the day it is filed.

Made by:

JIM WATSON  
Minister of Municipal Affairs and Housing

Date made: March 31, 2008.

**ONTARIO REGULATION 68/08**  
made under the  
**SAFE DRINKING WATER ACT, 2002**

Made: March 19, 2008  
Filed: April 1, 2008  
Published on e-Laws: April 2, 2008  
Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 188/07  
(Licensing of Municipal Drinking Water Systems)

Note: Ontario Regulation 188/07 has not previously been amended.

**1. Ontario Regulation 188/07 is amended by adding the following French version:**

**DÉLIVRANCE DE PERMIS À L'ÉGARD DES RÉSEAUX MUNICIPAUX D'EAU POTABLE**

**Date — organismes d'exploitation agréés**

1. La date à laquelle un permis municipal d'eau potable est délivré pour la première fois au propriétaire d'un réseau municipal d'eau potable est précisée comme étant la date à compter de laquelle le propriétaire doit faire en sorte qu'un organisme d'exploitation agréé soit responsable du réseau en application du paragraphe 13 (1) de la Loi.

**Date — directives régissant les plans d'exploitation**

2. Le 1<sup>er</sup> janvier 2009 est prescrit comme étant la date à laquelle le directeur doit, au plus tard, donner des directives régissant la préparation et le contenu des plans d'exploitation des réseaux municipaux d'eau potable en application du paragraphe 15 (1) de la Loi.

**Date — copies des plans d'exploitation et demandes de permis**

3. (1) Les définitions qui suivent s'appliquent au présent article.

«date limite pour la demande» Date à laquelle le propriétaire d'un réseau municipal d'eau potable doit, au plus tard, demander un permis d'aménagement de station de production d'eau potable et un permis municipal d'eau potable en application de l'article 33 de la Loi. («application date»)

«date limite pour les plans d'exploitation» Date à laquelle le propriétaire d'un réseau municipal d'eau potable doit, au plus tard, fournir une copie de tous les plans d'exploitation du réseau au directeur en application du paragraphe 16 (2) de la Loi. («operational plans date»)

(2) Si le propriétaire d'un ou de plusieurs réseaux municipaux d'eau potable figure dans une annexe du présent règlement, la date énoncée dans le titre de cette annexe est prescrite comme étant la date limite pour la demande et la date limite pour les plans d'exploitation pour ces réseaux.

(3) Malgré le paragraphe (2), si un réseau municipal d'eau potable a plus d'un propriétaire et que deux propriétaires ou plus figurent dans différentes annexes du présent règlement, celle des dates qui est énoncée en premier dans les titres des annexes où figurent les propriétaires est prescrite comme étant la date limite pour la demande et la date limite pour les plans d'exploitation pour ce réseau.

(4) Si une personne figurant dans une annexe du présent règlement transfère à une personne morale constituée en vertu de l'article 203 de la *Loi de 2001 sur les municipalités* la propriété d'un réseau municipal d'eau potable avant la date énoncée dans le titre de cette annexe et que la personne morale ne figure pas dans les annexes du présent règlement, la date énoncée dans le titre de l'annexe dans laquelle l'auteur du transfert figure est prescrite comme étant la date limite pour la demande et la date limite pour les plans d'exploitation pour ce réseau.

(5) Malgré le paragraphe (2), mais sous réserve du paragraphe (4), si le propriétaire d'un réseau municipal d'eau potable change après l'entrée en vigueur du présent article mais avant le 2 juin 2010, le 1<sup>er</sup> juin 2010 est prescrit comme étant la date limite pour la demande et la date limite pour les plans d'exploitation pour ce réseau même si l'ancien propriétaire s'est conformé au paragraphe 16 (2) ou à l'article 33 de la Loi.

(6) Le 1<sup>er</sup> juin 2010 est prescrit comme étant la date limite pour la demande et la date limite pour les plans d'exploitation pour chaque réseau municipal d'eau potable auquel les paragraphes (2) à (5) ne s'appliquent pas.



**Exemption**

4. Les paragraphes 13 (1), 15 (1) et 16 (2) et l'article 33 de la Loi ne s'appliquent pas à un réseau municipal d'eau potable si le paragraphe 31 (1) de la Loi ne s'y applique pas conformément au paragraphe 9 (1) ou (3) du Règlement de l'Ontario 170/03 (Réseaux d'eau potable) pris en application de la Loi ou à l'article 8 du Règlement de l'Ontario 252/05 (Réseaux non résidentiels et réseaux résidentiels saisonniers non municipaux ne desservant aucun établissement désigné) pris en application de la Loi.

**ANNEXE 1**  
**1<sup>ER</sup> JANVIER 2009**

Numéro	Propriétaire
1.	Durham, municipalité régionale de
2.	Halton, municipalité régionale de
3.	Hamilton, cité de
4.	Lac Huron, conseil de gestion conjoint du réseau primaire d'approvisionnement en eau du
5.	London, cité de
6.	Niagara, municipalité régionale de
7.	Ottawa, ville d'
8.	Peel, municipalité régionale de
9.	Toronto, cité de
10.	Vaughan, cité de
11.	Waterloo, municipalité régionale de
12.	York, municipalité régionale de

**ANNEXE 2**  
**1<sup>ER</sup> FÉVRIER 2009**

Numéro	Propriétaire
1.	Barrie, cité de Barrie
2.	Cambridge, cité de
3.	Grand Sudbury, ville du
4.	Guelph, cité de
5.	Kingston, cité de
6.	Kitchener, cité de
7.	Lambton, conseil de gestion conjoint du réseau d'approvisionnement en eau de la région de
8.	Markham, ville de
9.	Richmond Hill, ville de
10.	St. Catharines, cité de
11.	Thunder Bay, cité de
12.	Windsor, cité de

**ANNEXE 3**  
**1<sup>ER</sup> MARS 2009**

Numéro	Propriétaire
1.	Amherstburg, ville d'
2.	Chatham-Kent, municipalité de
3.	Enniskillen, canton d'
4.	Essex, ville d'
5.	Kingsville, ville de
6.	Lakeshore, ville de
7.	Lasalle, ville de
8.	Leamington, municipalité de
9.	Petrolia, ville de
10.	Plympton-Wyoming, ville de
11.	Point Edward, village de
12.	Sarnia, cité de
13.	Southwest Middlesex, municipalité de
14.	St. Clair, canton de
15.	Tecumseh, ville de
16.	Union, conseil de gestion conjoint du réseau d'approvisionnement en eau d'
17.	Warwick, canton de
18.	West Elgin, municipalité de



ANNEXE 4  
1<sup>ER</sup> AVRIL 2009

Numéro	Propriétaire
1.	Aylmer, ville d'
2.	Bluewater, municipalité de
3.	Central Elgin, municipalité de
4.	Dutton-Dunwich, municipalité de
5.	Elgin, conseil de gestion conjoint du réseau primaire d'approvisionnement en eau de la région d'
6.	Lambton Shores, municipalité de
7.	Lucan Biddulph, canton de
8.	Malahide, canton de
9.	Middlesex Centre, municipalité de
10.	North Middlesex, municipalité de
11.	Perth East, canton de
12.	South Huron, municipalité de
13.	Southwold, canton de
14.	St. Marys, ville de
15.	St. Thomas, cité de
16.	Strathroy-Caradoc, canton de
17.	Thames Centre, municipalité de
18.	West Perth, municipalité de

ANNEXE 5  
1<sup>ER</sup> MAI 2009

Numéro	Propriétaire
1.	Bayham, municipalité de
2.	Brant, comté de
3.	Brantford, cité de
4.	Fort Erie, ville de
5.	Grimsby, ville de
6.	Haldimand, comté de
7.	Lincoln, ville de
8.	Niagara Falls, cité de
9.	Niagara-on-the-Lake, ville de
10.	Norfolk, comté de
11.	Oxford, comté d'
12.	Pelham, ville de
13.	Port Colborne, cité de
14.	Stratford, cité de
15.	Thorold, cité de
16.	Welland, cité de
17.	West Lincoln, canton de
18.	Wilmot, canton de

ANNEXE 6  
1<sup>ER</sup> JUIN 2009

Numéro	Propriétaire
1.	Arran-Elderslie, municipalité d'
2.	Ashfield-Colborne-Wawanosh, canton d'
3.	Brockton, municipalité de
4.	Central Huron, municipalité de
5.	Georgian Bluffs, canton de
6.	Goderich, ville de
7.	Hanover, ville de
8.	Huron East, municipalité de
9.	Huron-Kinloss, canton de
10.	Kincardine, municipalité de
11.	Meaford, municipalité de
12.	North Huron, canton de
13.	North Perth, municipalité de
14.	Owen Sound, cité d'

Numéro	Propriétaire
15.	Saugeen Shores, ville de
16.	South Bruce Peninsula, ville de
17.	South Bruce, municipalité de
18.	West Grey, municipalité de

ANNEXE 7  
1<sup>ER</sup> JUILLET 2009

Numéro	Propriétaire
1.	Adjala-Tosorontio, canton d'
2.	Centre Wellington, canton de
3.	Clearview, canton de
4.	Collingwood, ville de
5.	East Luther Grand Valley, canton d'
6.	Erin, ville d'
7.	Grey Highlands, municipalité de
8.	Guelph/Eramosa, canton de
9.	Mapleton, canton de
10.	Minto, ville de
11.	Mono, ville de
12.	Orangeville, ville d'
13.	Shelburne, ville de
14.	Southgate, canton de
15.	The Blue Mountains, ville de
16.	Waterloo, cité de
17.	Wellington North, canton de
18.	Woolwich, canton de

ANNEXE 8  
1<sup>ER</sup> AOÛT 2009

Numéro	Propriétaire
1.	Aurora, ville d'
2.	Bradford West Gwillimbury, ville de
3.	East Gwillimbury, ville d'
4.	Essa, canton d'
5.	Georgina, ville de
6.	Innisfil, ville d'
7.	King, canton de
8.	Midland, ville de
9.	New Tecumseth, ville de
10.	Newmarket, ville de
11.	Orillia, cité d'
12.	Oro-Medonte, canton d'
13.	Penetanguishene, ville de
14.	Springwater, canton de
15.	Tay, canton de
16.	Tiny, canton de
17.	Wasaga Beach, ville de
18.	Whitchurch-Stouffville, ville de

ANNEXE 9  
1<sup>ER</sup> SEPTEMBRE 2009

Numéro	Propriétaire
1.	Asphodel-Norwood, canton d'
2.	Bancroft, ville de
3.	Brighton, municipalité de
4.	Cavan-Millbrook-North Monaghan, canton de
5.	Cobourg, ville de
6.	Cramahe, canton de
7.	Hamilton, canton de
8.	Havelock-Belmont-Methuen, canton de

Numéro	Propriétaire
9.	Kawartha Lakes, cité de
10.	Marmora and Lake, municipalité de
11.	Muskoka, municipalité de district de
12.	Parry Sound, ville de
13.	Peterborough, commission des services publics de
14.	Port Hope, municipalité de
15.	Ramara, canton de
16.	Severn, canton de
17.	Smith-Ennismore-Lakefield, canton de
18.	Trent Hills, municipalité de

ANNEXE 10  
1<sup>ER</sup> OCTOBRE 2009

Numéro	Propriétaire
1.	Belleville, cité de
2.	Brockville, cité de
3.	Centre Hastings, municipalité de
4.	Deseronto, ville de
5.	Edwardsburgh/Cardinal, canton d'
6.	Gananoque, ville de
7.	Greater Napanee, ville de
8.	Loyalist, canton de
9.	North Grenville, municipalité de
10.	Perth, ville de
11.	Prescott, ville de
12.	Prince Edward, comté de
13.	Quinte West, cité de
14.	Smiths Falls, ville de
15.	South Dundas, canton de
16.	South Frontenac, canton de
17.	Stirling-Rawdon, canton de
18.	Tweed, municipalité de

ANNEXE 11  
1<sup>ER</sup> NOVEMBRE 2009

Numéro	Propriétaire
1.	Alfred et Plantagenet, canton d'
2.	Arnprior, ville d'
3.	Bonnechere Valley, canton de
4.	Carleton Place, ville de
5.	Casselman, village de
6.	Champlain, canton de
7.	Clarence-Rockland, cité de
8.	Cornwall, cité de
9.	Hawkesbury, ville de
10.	Mississippi Mills, ville de
11.	North Dundas, canton de
12.	North Glengarry, canton de
13.	North Stormont, canton de
14.	Renfrew, ville de
15.	Russell, canton de
16.	South Glengarry, canton de
17.	South Stormont, canton de
18.	La Nation, municipalité de

ANNEXE 12  
1<sup>ER</sup> DÉCEMBRE 2009

Numéro	Propriétaire
1.	Callander, municipalité de
2.	Central Manitoulin, canton de
3.	Deep River, ville de

Numéro	Propriétaire
4.	Falconbridge Limitée
5.	Inco Limitée, Division Ontario d'
6.	Laurentian Valley, canton de
7.	Madawaska Valley, canton de
8.	Markstay-Warren, municipalité de
9.	Mattawa, ville de
10.	North Bay, cité de
11.	Northeastern Manitoulin and the Islands, ville de
12.	Pembroke, cité de
13.	Petawawa, ville de
14.	South River, village de
15.	Temagami, municipalité de
16.	Nipissing Ouest, municipalité de
17.	Whitewater Region, canton de

ANNEXE 13  
1<sup>ER</sup> JANVIER 2010

Numéro	Propriétaire
1.	Black River-Matheson, canton de
2.	Blind River, ville de
3.	Cobalt, ville de
4.	Cochrane, ville de
5.	Elliot Lake, cité d'
6.	Englchart, ville d'
7.	Espanola, ville d'
8.	Hearst, ville de
9.	Iroquois Falls, ville d'
10.	Kapuskasing, ville de
11.	Kirkland Lake, ville de
12.	Sables-Spanish Rivers, canton de
13.	Sault Ste. Marie, cité de
14.	Smooth Rock Falls, ville de
15.	Temiskaming Shores, cité de
16.	Thessalon, ville de
17.	Timmins, cité de

ANNEXE 14  
1<sup>ER</sup> FÉVRIER 2010

Numéro	Propriétaire
1.	Atikokan, canton d'
2.	Chapleau, canton de
3.	Dryden, cité de
4.	Fort Frances, ville de
5.	Greenstone, municipalité de
6.	Hornepayne, canton de
7.	Ignace, canton d'
8.	Kenora, cité de
9.	Manitouwadge, canton de
10.	Marathon, ville de
11.	Michipicoten, canton de
12.	Moosonee, ville de
13.	Nipigon, canton de
14.	Red Lake, municipalité de
15.	Schreiber, canton de
16.	Sioux Lookout, municipalité de
17.	Terrace Bay, canton de



ANNEXE 15  
1<sup>ER</sup> MARS 2010

Numéro	Propriétaire
1.	Alnwick/Haldimand, canton d'
2.	Amaranth, canton d'
3.	Brooke-Alvinston, municipalité de
4.	Chatsworth, canton de
5.	Dawn-Euphemia, canton de
6.	East Garafraxa, canton d'
7.	Galway-Cavendish-Harvey, canton de
8.	Highlands East, municipalité de
9.	Minden Hills, canton de
10.	Morris-Turnberry, municipalité de
11.	Mulmur, canton de
12.	Newbury, village de
13.	Northern Bruce Peninsula, municipalité de
14.	Oil Springs, village d'
15.	Otonabee-South Monaghan, canton d'
16.	Perth South, canton de

ANNEXE 16  
1<sup>ER</sup> AVRIL 2010

Numéro	Propriétaire
1.	Assigniack, canton d'
2.	Billings, canton de
3.	Burk's Falls, village de
4.	Elizabethtown-Kitley, canton d'
5.	Gore Bay, ville de
6.	Killaloe, Hagarty and Richards, canton de
7.	Killarney, municipalité de
8.	Laurentian Hills, ville de
9.	Leeds and the Thousand Islands, canton de
10.	McDougall, municipalité de
11.	Merrickville-Wolford, village de
12.	Montague, canton de
13.	Powassan, municipalité de
14.	Tehkummah, canton de
15.	Westport, village de

ANNEXE 17  
1<sup>ER</sup> MAI 2010

Numéro	Propriétaire
1.	Armstrong, canton d'
2.	Bruce Mines, ville de
3.	Charlton and Dack, municipalité de
4.	Coleman, canton de
5.	Hilton Beach, village de
6.	James, canton de
7.	Johnson, canton de
8.	Larder Lake, canton de
9.	Latchford, ville de
10.	Macdonald, Meredith and Aberdeen Additional, canton de
11.	Matachewan, canton de
12.	McGarry, canton de
13.	Nairn and Hyman, canton de
14.	Spanish, ville de
15.	St. Joseph, canton de
16.	The North Shore, canton de

ANNEXE 18  
1<sup>ER</sup> JUIN 2010

Numéro	Propriétaire
1.	Chapple, canton de
2.	Dubreuilville, canton de
3.	Ear Falls, canton d'
4.	Emo, canton d'
5.	Fauquier-Strickland, canton de
6.	Machin, canton de
7.	Mattice-Val Côté, canton de
8.	Moonbeam, canton de
9.	Oliver Paipoonge, municipalité d'
10.	Opasatika, canton d'
11.	Pickle Lake, canton de
12.	Rainy River, ville de
13.	Red Rock, canton de
14.	Val Rita-Harty, canton de
15.	White River, canton de

**2. This Regulation comes into force on the day it is filed.**

16/08

## ONTARIO REGULATION 69/08

made under the

### SAFE DRINKING WATER ACT, 2002

Made: March 27, 2008

Filed: April 1, 2008

Published on e-Laws: April 2, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 453/07  
(Financial Plans)

Note: Ontario Regulation 453/07 has not previously been amended.

**1. Ontario Regulation 453/07 is amended by adding the following French version:**

### PLANS FINANCIERS

#### Obligation de préparer des plans financiers

**1.** (1) La personne qui demande un permis municipal d'eau potable au titre de l'alinéa 32 (1) b) de la Loi prépare et approuve au préalable à l'égard du réseau des plans financiers qui satisfont aux exigences prescrites à l'article 2.

(2) La personne qui demande, au titre du paragraphe 32 (4) de la Loi, le renouvellement d'un permis municipal d'eau potable prépare et approuve au préalable à l'égard du réseau des plans financiers qui satisfont aux exigences prescrites à l'article 3.

(3) Le directeur peut assortir le permis qu'il délivre en réponse à une demande de permis municipal d'eau potable présentée au titre de l'article 33 de la Loi d'une condition selon laquelle le propriétaire du réseau d'eau potable doit, au plus tard le 1<sup>er</sup> juillet 2010 ou, si elle lui est postérieure, à la date qui tombe six mois après celle de la délivrance du premier permis relatif à ce réseau, préparer et approuver à l'égard de celui-ci des plans financiers qui satisfont aux exigences prescrites à l'article 3.

(4) Le directeur assortit les permis municipaux d'eau potable auxquels sont apportées des modifications après la présentation de la demande de la condition énoncée au paragraphe (3), si cette condition n'est pas remplie au moment de la modification.

**Exigences relatives aux plans financiers : nouveaux réseaux**

2. Pour l'application de l'alinéa b) de la définition de «plans financiers» au paragraphe 30 (1) de la Loi, les exigences suivantes sont prescrites à l'égard des plans financiers qui, aux termes du paragraphe 1 (1), doivent satisfaire aux exigences du présent article :

1. Les plans financiers doivent être approuvés au moyen d'une résolution indiquant que le réseau d'eau potable est financièrement viable et adoptée par, selon le cas :
  - i. le conseil municipal, si le propriétaire du réseau d'eau potable est une municipalité,
  - ii. le corps dirigeant du propriétaire du réseau d'eau potable, si celui-ci n'est pas une municipalité et qu'il a un corps dirigeant.
2. Les plans financiers doivent :
  - i. d'une part, comprendre une déclaration indiquant que les répercussions financières du réseau d'eau potable ont été prises en considération,
  - ii. d'autre part, s'appliquer à une période d'au moins six ans.
3. La première année à laquelle le plan financier doit s'appliquer est celle au cours de laquelle il est prévu que le réseau d'eau potable commence à desservir le public.
4. Pour chaque année à laquelle ils s'appliquent, les plans financiers doivent comprendre des détails sur l'exploitation financière prévue du réseau d'eau potable, soit les éléments suivants :
  - i. le total des revenus, ventilés entre les redevances d'eau, les redevances d'utilisation et les autres revenus,
  - ii. le total des charges, ventilées entre les dotations aux amortissements, les intérêts débiteurs et les autres charges,
  - iii. l'excédent ou le déficit annuel,
  - iv. l'excédent ou le déficit accumulé.
5. Le propriétaire du réseau d'eau potable doit :
  - i. sur demande, mettre gratuitement les plans financiers à la disposition des membres du public desservis par le réseau d'eau potable,
  - ii. mettre gratuitement les plans financiers à la disposition des membres du public en les publiant sur Internet s'il a un site Web,
  - iii. aviser le public que les plans financiers sont à sa disposition en application des sous-dispositions i et ii, le cas échéant, de la manière qu'il estime propre à porter cet avis à l'attention des membres du public desservis par le réseau d'eau potable.
6. Le propriétaire du réseau d'eau potable doit remettre une copie des plans financiers au ministère des Affaires municipales et du Logement.

**Exigences relatives aux plans financiers : renouvellement de permis**

3. (1) Pour l'application de l'alinéa b) de la définition de «plans financiers» au paragraphe 30 (1) de la Loi, les exigences suivantes sont prescrites à l'égard des plans financiers qui, aux termes du paragraphe 1 (2) ou d'une condition dont est assorti un permis municipal d'eau potable au titre du paragraphe 1 (3), doivent satisfaire aux exigences du présent article :

1. Les plans financiers doivent être approuvés au moyen d'une résolution adoptée par, selon le cas :
  - i. le conseil municipal, si le propriétaire du réseau d'eau potable est une municipalité,
  - ii. le corps dirigeant du propriétaire du réseau d'eau potable, si celui-ci n'est pas une municipalité et qu'il a un corps dirigeant.
2. Les plans financiers doivent s'appliquer à une période d'au moins six ans.
3. La première année à laquelle s'appliquent les plans financiers est fixée conformément aux règles suivantes :
  - i. S'ils sont exigés par le paragraphe 1 (2), la première année à laquelle les plans financiers s'appliquent doit être l'année au cours de laquelle le permis municipal d'eau potable en vigueur pour le réseau d'eau potable arriverait autrement à expiration.
  - ii. S'ils sont exigés par une condition dont est assorti un permis municipal d'eau potable au titre du paragraphe 1 (3), la première année à laquelle s'appliquent les plans financiers doit être 2010 ou, si elle est postérieure, l'année de délivrance du premier permis relatif au réseau.
4. Sous réserve du paragraphe (2), pour chaque année à laquelle ils s'appliquent, les plans financiers doivent comprendre ce qui suit :



i. Les détails de la situation financière prévue du réseau d'eau potable, soit les éléments suivants :

- A. le total des actifs financiers,
- B. le passif total,
- C. la dette nette,
- D. les actifs non financiers qui correspondent aux immobilisations corporelles, aux immobilisations corporelles en construction, aux stocks de fournitures et aux charges payées d'avance,
- E. les variations des immobilisations corporelles qui correspondent aux acquisitions, aux dons, aux dépréciations et aux aliénations.

ii. Les détails de l'exploitation financière prévue du réseau d'eau potable, soit les éléments suivants :

- A. le total des revenus, ventilés entre les redevances d'eau, les redevances d'utilisation et les autres revenus,
- B. le total des charges, ventilées entre les dotations aux amortissements, les intérêts débiteurs et les autres charges,
- C. l'excédent ou le déficit annuel,
- D. l'excédent ou le déficit accumulé.

iii. Les détails des encaissements et décaissements bruts prévus du réseau d'eau potable, soit les éléments suivants :

- A. les opérations d'exploitation qui correspondent aux flux de trésorerie liés aux revenus, aux charges d'exploitation et aux frais financiers,
- B. les opérations en capital qui correspondent au produit de la vente d'immobilisations corporelles et aux flux de trésorerie affectés à l'acquisition d'immobilisations,
- C. les opérations de placement qui correspondent aux acquisitions et aux aliénations de placements,
- D. les opérations de financement qui correspondent au produit de l'émission de titres de créance et au remboursement de la dette,
- E. les variations de la trésorerie et des équivalents de trésorerie au cours de l'année,
- F. la trésorerie et les équivalents de trésorerie au début et à la fin de l'année.

iv. Des détails sur la mesure dans laquelle les renseignements visés aux sous-dispositions i, ii et iii se rapportent directement au remplacement de conduites de branchement en plomb, au sens de l'article 15.1-3 de l'annexe 15.1 du Règlement de l'Ontario 170/03 (Réseaux d'eau potable) pris en application de la Loi.

5. Le propriétaire du réseau d'eau potable doit :

- i. sur demande, mettre gratuitement les plans financiers à la disposition des membres du public desservis par le réseau d'eau potable,
- ii. mettre gratuitement les plans financiers à la disposition des membres du public en les publiant sur Internet s'il a un site Web,
- iii. aviser le public que les plans financiers sont à sa disposition en application des sous-dispositions i et ii, le cas échéant, de la manière qu'il estime propre à porter cet avis à l'attention des membres du public desservis par le réseau d'eau potable.

6. Le propriétaire du réseau d'eau potable doit remettre une copie des plans financiers au ministère des Affaires municipales et du Logement.

(2) Chacune des sous-sous-dispositions suivantes ne s'applique que si les renseignements qui y sont visés sont connus du propriétaire au moment de la préparation des plans financiers :

- 1. Les sous-sous-dispositions 4 i A, B et C du paragraphe (1).
- 2. Les sous-sous-dispositions 4 iii A, C, E et F du paragraphe (1).

**Autre manière de satisfaire aux exigences : plusieurs réseaux d'eau potable**

4. Si l'article 3 s'applique aux plans financiers de deux réseaux d'eau potable ou plus qui sont la propriété exclusive d'un seul et même propriétaire, peuvent aussi satisfaire aux exigences prescrites à cet article des plans financiers qui y sont conformes mais dans lesquels ces réseaux sont considérés comme un seul et même réseau d'eau potable.

**Modification des plans financiers**

5. Les articles 2 et 3 n'ont pas pour effet d'empêcher la modification des plans financiers.



**Renseignements supplémentaires**

6. Les exigences du présent règlement n'ont pas pour effet d'empêcher quiconque de fournir des renseignements supplémentaires dans les plans financiers préparés afin de satisfaire aux exigences de la Loi.

**2. This Regulation comes into force on the day it is filed.**

Made by:

Pris par :

*Le ministre de l'Environnement,*

JOHN PHILIP GERRETSEN  
*Minister of the Environment*

Date made: March 27, 2008.

Pris le : 27 mars 2008.

16/08

# **ONTARIO REGULATION 70/08**

made under the

## **FOOD SAFETY AND QUALITY ACT, 2001**

Made: April 2, 2008

Filed: April 3, 2008

Published on e-Laws: April 4, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 31/05

(Meat)

Note: Ontario Regulation 31/05 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 1 (1) of Ontario Regulation 31/05 is amended by adding the following definition:**

“ante mortem examination” means the examination of a food animal in accordance with Part VIII.2 before the animal is slaughtered;

**(2) The definition of “carcass” in subsection 1 (1) of the Regulation is revoked and the following substituted:**

“carcass” means the carcass that is derived from a food animal and that is not a farm slaughtered carcass, except if reference is made to a farm slaughtered carcass or a hunted game carcass;

**(3) Clause (b) of the definition of “condemn” in subsection 1 (1) of the Regulation is amended by adding the following subclauses:**

(v) a farm slaughtered carcass,

(vi) a farm slaughtered product;

**(4) Clause (a) of the definition of “contaminated” in subsection 1 (1) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:**

(a) in respect of a food animal, a carcass or part of a carcass derived from a food animal, a meat product, a farm slaughtered carcass, a farm slaughtered product, a hunted game carcass, a hunted game product, an ingredient or another food means,

**(5) Clause (a) of the definition of “dress” in subsection 1 (1) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:**

- (a) in respect of the carcass of a slaughtered food animal, other than a pig, a bird or an animal mentioned in clause (e), means,

. . . . .

**(6) Clause (b) of the definition of “dress” in subsection 1 (1) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:**

- (b) in respect of the carcass of a slaughtered food animal that is a pig, other than a pig mentioned in clause (e), means,

. . . . .

**(7) The definition of “dress” in subsection 1 (1) of the Regulation is amended by striking out “and” at the end of clause (c), by adding “and” at the end of clause (d) and by adding the following clause:**

- (e) in respect of the carcass of a slaughtered food animal to which section 84.23 applies, means to remove the head and to eviscerate;

**(8) The definition of “euthanize” in subsection 1 (1) of the Regulation is amended by striking out “at a slaughter plant”.**

**(9) The definition of “eviscerate” in subsection 1 (1) of the Regulation is amended by striking out “and” at the end of clause (b) and by revoking clause (c) and substituting the following:**

- (c) in respect of the carcass of a slaughtered food animal to which section 84.23 applies, to remove the respiratory, digestive, reproductive and urinary systems of the carcass, including the kidneys, and the other thoracic and abdominal organs, and
- (d) in respect of a carcass not described in clause (a), (b) or (c), to remove the respiratory, digestive, reproductive and urinary systems of the carcass, except the kidneys, and the other thoracic and abdominal organs;

**(10) Subsection 1 (1) of the Regulation is amended by adding the following definitions:**

“examination stamp” means an examination stamp issued to an examiner under Part III.1;

“examiner” means a person who holds a valid certificate as an examiner under Part III.1;

“farm slaughtered carcass” means a carcass of a food animal that was slaughtered on the premises of the producer of the animal, that has been approved to enter a meat plant in accordance with Part VIII.2 and that has been delivered to a meat plant, and includes any part of such carcass;

“farm slaughtered product” means a product that is intended for human consumption and is derived in whole or part from a farm slaughtered carcass;

**(11) The definition of “freestanding meat plant” in subsection 1 (1) of the Regulation is amended by striking “or” at the end of clause (c) and by adding the following clause:**

- (c.1) farm slaughtered carcasses are skinned, and farm slaughtered carcasses and products are processed, handled, stored, packaged and labelled, or

**(12) The definition of “hazard” in subsection 1 (1) of the Regulation is revoked and the following substituted:**

“hazard” means a biological, chemical or physical agent or factor, a condition of a food or an agricultural commodity or the environment in which a food or an agricultural commodity is produced, processed, handled or stored, if the agent, factor, condition or environment, as the case may be, may directly or indirectly cause the food or agricultural commodity to be unsafe for human consumption in the absence of its control;

**(13) The definition of “inedible material” in subsection 1 (1) of the Regulation is amended by striking out “or” at the end of clause (a), by adding “or” at the end of clause (b) and by adding the following clause:**

- (c) a farm slaughtered carcass or farm slaughtered product that is not intended for, or is not permitted under this Regulation, to be returned to the producer of the carcass for use as food, whether or not the material is condemned material;

**(14) The definition of “meat” in subsection 1 (1) of the Regulation is amended by adding at the end “or, except if reference is made to meat derived from farm slaughtered carcasses, any product that is derived in whole or in part from a farm slaughtered carcass”.**

**(15) The definition of “meat by-product” in subsection 1 (1) of the Regulation is amended by adding “any product that is derived in whole or in part from a farm slaughtered carcass” after “does not include”.**



**(16) The definition of “meat product” in subsection 1 (1) of the Regulation is amended by striking out the portion after clause (c) and substituting the following:**

but does not include inedible material or any product that is derived in whole or in part from a farm slaughtered carcass or a hunted game carcass;

**(17) The definition of “mechanically separated meat” in subsection 1 (1) of the Regulation is amended by adding “but does not include any product that is derived in whole or in part from a farm slaughtered carcass” at the end.**

**(18) Subsection 1 (1) of the Regulation is amended by adding the following definition:**

“post mortem examination” means the examination in accordance with Part VIII.2 of a carcass or part of a carcass derived from a food animal after the animal is slaughtered;

**(19) The definition of “processing” in subsection 1 (1) of the Regulation is revoked and the following substituted:**

“processing”, when used in relation to preparing, for use as food, a carcass or part of a carcass, a meat product, a farm slaughtered carcass, a farm slaughtered product, a hunted game carcass or a hunted game product, means,

(a) adding an anticoagulant to blood, aging, basting, boning, breaking, canning, coating, comminution, cooling, cooking, curing, cutting, dehydrating, emulsifying fabricating, fermenting, freezing, heating, marinating, massaging, pasteurizing, pickling, refrigerating, rinsing, rubbing, salting, slicing, smoking, tenderizing, thermal processing washing and reprocessing of previously processed products, and

(b) any other operation performed to prepare the carcass or part of the carcass, meat product, farm slaughtered carcass, farm slaughtered product, hunted game carcass or a hunted game product for use as food, other than the dressing of a carcass;

**(20) The definition of “slaughter plant” in subsection 1 (1) of the Regulation is amended by striking out “or” at the end of clause (d) and by adding the following clause:**

(d.1) farm slaughtered carcasses are skinned or farm slaughtered carcasses and products are processed, handled, stored, packaged and labelled, or

**(21) The definition of “Category 2 activity” in subsection 1 (2) of the Regulation is amended by striking out “and” at the end of clause (d), by adding “and” at the end of clause (e) and by adding the following clause:**

(f) receiving, skinning, cutting, wrapping, freezing farm slaughtered carcasses, grinding meat from farm slaughtered carcasses and processing ham, bacon and sausage from farm slaughtered carcasses that are derived from pigs.

**2. Subsections 2 (3) and (4) of the Regulation are revoked.**

**3. Section 3 of the Regulation is amended by adding the following subsections:**

(4) In subsections (5) and (6),

“premises”, in respect of the producer of a food animal from which a carcass or part of a carcass is derived, means the premises of the producer where the animal was raised and slaughtered.

(5) Subsection (1) does not apply to the transport of a carcass or part of a carcass of a food animal to a meat plant operated by a licensee if,

(a) the carcass or the part of it is derived from a food animal that was slaughtered and approved to enter a meat plant in accordance with Part VIII.2;

(b) the carcass or the part of it is transported from the producer’s premises to a meat plant that is operated by a licensee and that a regional veterinarian has approved for the purpose of receiving and processing the carcass or the part of it under Part VIII.3;

(c) the carcass or the part of it is transported to the meat plant only during a time that the operator of the plant has been authorized to receive the carcass or the part of it under Part VIII.3;

(d) the carcass or the part of it is transported to the meat plant by the producer who owned the animal from which the carcass or the part of it is derived at the time of its slaughter or by an examiner; and

(e) the carcass or the part of it is accompanied by a certificate that complies with subsection 84.32 (1).

(6) Subsection (1) does not apply to the distribution by the producer of a carcass, part of a carcass or a meat product derived from a food animal that the producer owned and raised on the producer’s premises if,

(a) the following conditions are met:

(i) the animal has been presented for an ante mortem inspection under Part VIII.1,

(ii) the ante mortem inspection has been conducted and the animal has been approved for slaughter under Part VIII.1,

- (iii) the conditions set out in subsection (7) are met;
- (b) the following conditions are met:
  - (i) the animal has not been presented for an ante mortem inspection under Part VIII.1,
  - (ii) no ante mortem examination of the animal has been conducted in accordance with Part VIII.2,
  - (iii) the conditions set out in subsection (7) are met;
- (c) the following conditions are met:
  - (i) the animal is a head of cattle or a pig,
  - (ii) the animal has not been presented for an ante mortem inspection under Part VIII.1,
  - (iii) an ante mortem examination of the animal has been conducted in accordance with Part VIII.2,
  - (iv) the animal has been approved for post mortem examination or approval for post mortem examination has been refused because the animal has been found unfit to enter a meat plant or, if the animal is a head of cattle, it has been found to be 30 months of age or older,
  - (v) no post mortem examination of the carcass of the animal has been conducted in accordance with Part VIII.2,
  - (vi) the conditions set out in subsection (7) are met; or
- (d) the following conditions are met:
  - (i) the animal is a head of cattle or a pig,
  - (ii) the animal has not been presented for an ante mortem inspection under Part VIII.1,
  - (iii) an ante mortem examination of the animal has been conducted in accordance with Part VIII.2 and the animal has been approved for a post mortem inspection under that Part,
  - (iv) a post mortem examination of the carcass of the animal has been conducted in accordance with Part VIII.2 and the carcass,
    - (A) has been approved to enter a meat plant, or
    - (B) has not been approved to enter a meat plant because it has been found unfit to enter a meat plant or, if the animal is a head of cattle, it has been found to be 30 months of age or older,
  - (v) the conditions set out in subsection (7) are met.
- (7) The conditions mentioned in subsection (6) are the following:
  1. The animal has been slaughtered for consumption by the producer or the producer's immediate family.
  2. The slaughter was performed on the producer's premises by the producer, or if the animal is a head of cattle or a pig, by an examiner.
  3. The carcass, the part of it or the meat product is not removed from the producer's premises and is distributed only to the producer's immediate family on the producer's premises.
  4. The carcass, the part of it or the meat product is consumed only by the producer or the producer's immediate family on the producer's premises.

**4. The Regulation is amended by adding the following section:**

**Farm slaughtered carcasses and products**

**3.1 (1) In this section,**

“premises”, in respect of the producer of a food animal from which a farm slaughtered carcass or part of it is derived, means the premises of the producer where the animal was raised and slaughtered.

(2) No person shall sell to any person a farm slaughtered carcass, part of a farm slaughtered carcass or a farm slaughtered product.

(3) No person shall transport or deliver a farm slaughtered carcass, part of a farm slaughtered carcass or a farm slaughtered product.

(4) Subsection (3) does not apply to a person who,

- (a) transports a farm slaughtered carcass or part of a farm slaughtered carcass from a meat plant that received the carcass or the part of it in accordance with subsection 84 (4) back to the premises of the producer of the animal from which the carcass or the part of it is derived; or



- (b) transports a farm slaughtered product from a meat plant that, in accordance with subsection 84 (4), received the farm slaughtered carcass from which the product is derived back to the premises of the producer of the animal from which the carcass is derived.

(5) No person shall distribute to any person a farm slaughtered carcass, part of a farm slaughtered carcass or a farm slaughtered product.

(6) Subsection (5) does not apply to a producer of a food animal who distributes the carcass of the animal or part of the carcass or a farm slaughtered product derived from the carcass only to the producer's immediate family on the producer's premises if the carcass, the part of it or the product is consumed only by the producer or the producer's immediate family on the producer's premises.

**5. (1) Subsection 5 (1) of the Regulation is amended by adding the following paragraph:**

- 3.1 The receiving, skinning, cutting, wrapping, freezing of farm slaughtered carcasses, grinding meat derived from farm slaughtered carcasses and processing ham, bacon and sausage from farm slaughtered carcasses that are derived from pigs.

**(2) Subsection 5 (2) of the Regulation is amended by adding the following paragraph:**

- 2.1 The receiving, skinning, cutting, wrapping, freezing of farm slaughtered carcasses, grinding meat derived from farm slaughtered carcasses and processing ham, bacon and sausage from farm slaughtered carcasses that are derived from pigs.

**6. The Regulation is amended by adding the following Parts:**

**PART III.1  
CERTIFICATION OF EXAMINERS**

**DEFINITION**

**Definition**

**12.1** In this Part,

“certificate” means a certificate to act as an examiner issued under this Part.

**ISSUANCE OF CERTIFICATES**

**Requirement for certificate**

**12.2** No person shall act as an examiner under this Regulation without holding a valid certificate.

**Application for certificate**

**12.3 (1)** A director shall issue a certificate to a person who is eligible for the issuance of a certificate and who applies for it.

(2) An applicant is eligible for the issuance of a certificate if the applicant,

- (a) is an individual who is not an inspector;
- (b) has paid the fee required for the application for the certificate;
- (c) has paid the fees required to enrol in the theoretical and practical courses that a director specifies and that provide the necessary training to allow a person to act as an examiner in accordance with the Act and the regulations;
- (d) has successfully completed any other course described in clause (c) that a director has determined is a prerequisite for the courses in which the applicant applies to enrol under that clause;
- (e) is not ineligible, as a result of subsection (4), to enrol in the courses described in clause (c);
- (f) has successfully completed the courses described in clause (c); and
- (g) is not ineligible, as a result of subsection (6), for the issuance of a certificate.

(3) An application for a certificate shall be in a form approved by a director and shall be accompanied by all information and documents that a director requires for the purposes of determining whether the application meets the requirements of this section.

(4) An applicant is not eligible to enrol in a course described in clause (2) (c) if,

- (a) a director has given notice to the applicant under subsection (5);
- (b) the time period for the applicant to request a review under section 12.4 has expired; and
- (c) a director has not rescinded the notice under section 12.4.

- (5) A director may give the notice mentioned in clause (4) (a) if,
- (a) any director has refused to issue a licence for a regulatable activity to the applicant, has refused to renew such a licence or has suspended or revoked such a licence;
  - (b) in connection with a regulatable activity, the applicant has contravened, or has permitted any person under the applicant's control or direction to contravene, the Act, the regulations, any other Act, the regulations under it or any law applying to the carrying on of the activity and the contravention is such that it would be in the public interest to refuse to issue a certificate to the applicant;
  - (c) the applicant has contravened the regulations when exercising powers or performing duties as an examiner and the contravention is such that it would be in the public interest to refuse to issue a certificate to the applicant;
  - (d) any director has refused to issue a certificate to the applicant, has refused to renew such a certificate or has suspended or revoked such a certificate;
  - (e) the director is of the opinion that the past or present conduct of the applicant affords reasonable grounds to believe that the applicant will not act as an examiner in accordance with law; or
  - (f) the director is of the opinion that the applicant has provided false or misleading information in the application for the certificate.
- (6) An applicant is not eligible for the issuance of a certificate if,
- (a) a director has given notice to the applicant under subsection (7);
  - (b) the time period for the applicant to request a review under section 12.4 has expired; and
  - (c) a director has not rescinded the notice under section 12.4.
- (7) A director may give the notice mentioned in clause (6) (a) if,
- (a) any of the circumstances described in any of clauses (5) (a) to (f) applies; or
  - (b) the director is of the opinion that the applicant does not or will not have all of the equipment necessary to act as an examiner.
- (8) A director is not required to hold a hearing or to afford any person an opportunity for a hearing before deciding whether or not to give a notice under subsection (5) or (7).

#### **Review of director's notice**

**12.4** (1) Within 21 days of being served with a notice mentioned in clause 12.3 (4) (a) or (6) (a), an applicant may request in writing that a director review the notice and may include representations in the request.

(2) Upon receiving a request for a review of the notice, a director shall reconsider the grounds for giving the notice and shall give the applicant a further notice rescinding the original notice if the director is of the opinion that doing so is warranted.

(3) A director is not required to hold a hearing or to afford any person an opportunity for a hearing before deciding whether or not to give a notice of rescission under subsection (2).

(4) A decision of a director on whether or not to give a notice of rescission under subsection (2) is final and binding.

#### **Issuance of certificate**

**12.5** (1) A certificate shall be in the form approved by a director.

(2) A director may refuse to issue the certificate if the person is not eligible for the issuance of the certificate as a result of subsection 12.3 (2).

(3) Upon refusing to issue a certificate to an applicant for it, a director shall send a written notice of the refusal setting out the reason for the refusal.

(4) A decision of a director to refuse to issue a certificate under subsection (2) is final and binding.

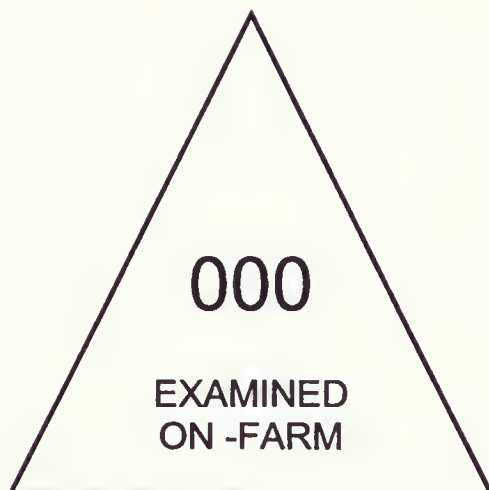
#### **Examination stamp and legend**

**12.6** (1) Upon issuing a certificate to an examiner, a director shall assign a certificate number and an examination stamp to the examiner.

(2) If an examiner's certificate expires, is suspended, is revoked or if the examiner surrenders his or her certificate, the examiner shall immediately return to a director the examination stamp assigned to the examiner.

(3) Subject to subsections (4) and (5), an examination stamp shall be in the form of the examination legend.

(4) The examination legend shall be in the following form:



(5) The certificate number assigned by a director to an examiner under subsection (1) shall be substituted for the numbers 000 on the examination legend that is reproduced on the examination stamp assigned to the examiner.

(6) The examination legend on an examination stamp shall measure not less than 64 millimetres when measured from the top of the triangle to the mid point of the base.

(7) No person shall reproduce an examination legend or an examination stamp unless the person has the written permission of a director.

(8) No person, other than an examiner, shall use an examination stamp.

(9) No examiner shall use an examination stamp, other than the stamp issued to the examiner, or permit any other person to use the stamp issued to the examiner.

#### CONDITIONS OF CERTIFICATES

##### Conditions

**12.7** The certificate of an examiner is subject to,

- (a) the conditions that the director who issues the certificate specifies in the certificate; and
- (b) the requirements for an examiner set out in sections 12.8 to 12.10.

##### Production of copy of certificate

**12.8** (1) An examiner shall keep a copy of his or her certificate in a form approved by the director who issued the certificate on his or her person at all times while acting as an examiner.

(2) An examiner shall show the copy of his or her certificate described in subsection (1) on request to a producer of a food animal, an inspector, a regional veterinarian, a veterinary inspector or the operator of licensed meat plant.

##### Further training

**12.9** (1) On the request of a director or a person designated by a director, an examiner shall submit to a reassessment of the examiner's skills and competence to act as an examiner.

(2) A director or a person designated by a director shall perform the reassessment.

(3) A director or the person who performs the reassessment or, if there is no reassessment, a director or a person designated by a director may by written notice require an examiner to enrol in and successfully complete the further theoretical and practical courses that the person who gave the notice specifies if that person is of the opinion that the examiner requires the courses to be able to maintain the ability to act as an examiner in accordance with the Act and the regulations.

(4) An examiner shall enrol in and successfully complete the further courses mentioned in subsection (3) if required to do so under that subsection.

(5) Within 10 days of being served with a notice mentioned in subsection (3), an examiner may request in writing that a director review it and may include representations in the request.



(6) Upon receiving a request for a review of the notice, a director shall reconsider the grounds for giving the notice and shall give the examiner a further notice rescinding the original notice if the director is of the opinion that doing so is warranted.

(7) A director is not required to hold a hearing or to afford the examiner an opportunity for a hearing before deciding whether or not to give a notice of rescission under subsection (6).

(8) A decision of a director on whether or not to give a notice of rescission under subsection (6) is final and binding.

#### **Compliance with powers and duties**

**12.10 (1)** An examiner shall comply with this Regulation when exercising powers or performing duties as an examiner.

(2) At the request of a director, an examiner shall provide copies of the records that the examiner is required to maintain under this Regulation.

### **RENEWAL, SUSPENSION AND REVOCATION OF CERTIFICATES**

#### **Renewal of certificates, no right to hearing**

**12.11 (1)** Subject to subsection (3), a director shall issue a renewal of a certificate to a person who,

- (a) applies for it;
- (b) holds a certificate that has not expired or that is deemed to continue under subsection 12.14 (2);
- (c) has paid the fee required for the application for the renewal;
- (d) has paid the fees required to enrol in the theoretical and practical courses that a director specifies for the purpose of the renewal and that provide the necessary training to allow a person to act as an examiner in accordance with the Act;
- (e) has successfully completed any other course described in clause (d) that a director has determined is a prerequisite for the courses in which the applicant applies to enrol under that clause; and
- (f) has successfully completed the courses described in clause (d).

(2) An application for the renewal of a certificate shall be in a form approved by a director and shall be accompanied by all information and documents that a director requires for the purposes of determining whether the application meets the requirements of this section.

(3) A director may, by notice to the examiner and without a hearing, refuse to renew the certificate of an examiner if the director is of the opinion that the examiner is not eligible for the renewal as a result of subsection (1).

(4) A decision of a director, under this section, to refuse to renew a certificate is final and binding.

#### **Right to hearing**

**12.12 (1)** Subject to subsection (2), a director may refuse to renew the certificate of an examiner or may suspend or revoke it if the director is of the opinion that,

- (a) any of the grounds exist for which the director may give a notice under subsection 12.3 (7) if the examiner were applying for a certificate;
- (b) the examiner has contravened a condition of the certificate, including failing to successfully complete the courses that a director has required the examiner to complete under section 12.9; or
- (c) the examiner is not exercising powers or performing duties as an examiner in a reasonably competent manner or in a humane manner.

(2) A director shall not refuse to renew the certificate or shall not suspend or revoke it unless,

- (a) before doing so, the director serves a written notice on the examiner that,
  - (i) sets out the reason for the director's opinion, and
  - (ii) states that the examiner may request a hearing by a director within 10 days of being served with the notice; and
- (b) the director has held the hearing if the examiner requests one within the required time.

(3) Despite subsection (2), a director may, by notice to the examiner and without a hearing, provisionally suspend the certificate of an examiner if,

- (a) in the director's opinion, it is necessary to do so for the immediate protection of the safety or health of any person or animal or the public; and
- (b) the director so states in the notice and gives reasons for the opinion.



(4) Upon provisionally suspending a certificate, a director shall serve a written notice on the examiner stating that the examiner may request a hearing by a director within 10 days of being served with the notice to determine whether to further suspend or revoke the certificate.

(5) A director shall not further suspend or revoke the certificate unless the director has held the hearing if the examiner requests one within the required time.

(6) If, after a hearing, a director refuses to renew the certificate of an examiner or suspends or revokes it, the director shall give the examiner written notice of the decision and reasons for it.

(7) A decision of a director, under this section, to refuse to renew a certificate or to suspend or revoke a certificate is final and binding.

## SURRENDER AND EXPIRY OF CERTIFICATES

### Surrender of certificate

**12.13** An examiner may surrender his or her certificate at any time.

### Expiry of certificates

**12.14 (1)** A certificate expires on December 31 of the year following the year in which it is issued or renewed.

(2) If, no later than October 31 of the year in which a certificate of an examiner expires, the examiner applies for renewal of the certificate, pays the required fee for the renewal and has complied with the Act and the regulations, the certificate shall be deemed to continue until the examiner has received the decision of a director on the application for renewal.

. . . . .

## PART VII.1 INSPECTIONS AT MEAT PLANTS

### Inspection schedule at slaughter plants

**57.1 (1)** A director may assign one or more inspectors to perform ante mortem or post mortem inspections at a slaughter plant and may establish an inspection schedule that sets out,

- (a) the days and times at which inspectors will normally be assigned to perform inspections at the plant; and
- (b) the number of inspectors who will normally be assigned to perform inspections at any specified time in the schedule.

(2) A director shall not assign inspectors under subsection (1) to perform inspections at a plant in excess of 7.5 hours in a day and 37.5 hours in any seven-day period.

(3) Every operator of a slaughter plant shall inform a director at least 48 hours before the start of a day if the ante mortem or post mortem inspections that would normally have been performed during that day in accordance with the plant's inspection schedule will not be required.

### Supplementary inspections at slaughter plants

**57.2 (1)** At the request of the operator of a slaughter plant, a director may assign one or more inspectors who are not veterinary inspectors to the plant for the purposes of performing supplementary ante mortem or post mortem inspections at the plant,

- (a) at times that fall outside the times at which a director has assigned inspectors to perform inspections at the plant under subsection 57.1 (1); or
- (b) for time in excess of the maximum times mentioned in subsection 57.1 (2).

(2) Every operator of a slaughter plant shall inform a director at least 48 hours before the start of a day on which a director has assigned inspectors to perform inspections at the plant under this section if the ante mortem or post mortem inspections that would have been performed during that day will not be required.

(3) At the request of the operator of a slaughter plant, a veterinary inspector may perform ante mortem or post mortem inspections at the plant,

- (a) at times that fall outside the times at which a director has assigned inspectors to perform inspections at the plant under subsection 57.1 (1); or
- (b) for time in excess of the maximum times mentioned in subsection 57.1 (2).

### Supplementary inspections at meat plants

**57.3** At the request of the operator of a meat plant, a director may assign one or more inspectors who are not veterinary inspectors to the plant for the purposes of providing services other than ante mortem or post mortem inspections.

**Inspector may refuse services**

**57.4 (1)** If, in an inspector's opinion, a person at a meat plant has contravened a provision of the Act or this Regulation or an order of an inspector, the inspector may refuse to provide services at the plant for up to 24 consecutive hours.

(2) On refusing to provide services, an inspector shall immediately inform a regional veterinarian and explain the circumstances that led to the refusal.

**7. Section 67 of the Regulation is amended by adding the following subsection:**

(5) Subsection (3) does not apply to a food animal to which this Part does not apply as a result of subsection 84.36 (2), (3), (4) or (5).

**8. (1) Subsection 84 (1) of the Regulation is amended by striking out "subsections (2) and (3)" in the portion before clause (a) and substituting "subsections (2), (3) and (4)".**

**(2) Section 84 of the Regulation is amended by adding the following subsection:**

(1.1) In subsection (1),

"carcass" means the carcass of any animal, including the carcass of a food animal, a farm slaughtered carcass and a hunted game carcass.

**(3) Subsection 84 (2) of the Regulation is amended by adding "in accordance with Part VIII.1" after "outside of a slaughter plant".**

**(4) Subsection 84 (4) of the Regulation is revoked and the following substituted:**

(4) The operator of a meat plant may receive at the plant a farm slaughtered carcass or part of a farm slaughtered carcass if,

(a) the carcass or the part of it is stamped with an examination stamp in accordance with section 84.31 and is accompanied by a certificate that complies with subsection 84.32 (1) and the operator receives the carcass or the part of it in accordance with Part VIII.3; or

(b) the operator condemns and disposes of the carcass or the part of it in accordance with section 91.

**9. Subsection 84.3 (4) of the Regulation is amended by striking out "operator" and substituting "owner or custodian".**

**10. (1) Subsection 84.4 (3) of the Regulation is amended by striking out "operator of the plant" and substituting "owner or custodian".**

**(2) Subsection 84.4 (5) of the Regulation is amended by striking out "operator" and substituting "owner or custodian".**

**11. Subsection 84.7 (5) of the Regulation is revoked and the following substituted:**

(5) Subsections (3) and (4) do not apply to a producer in respect of the carcass of a food animal if the carcass meets the conditions described in clauses 84.36 (2) (a) to (c).

**12. (1) Subsection 84.8 (1) of the Regulation is amended by striking out "slaughter house" in the portion before clause (a) and substituting "slaughter plant".**

**(2) Clause 84.8 (1) (c) of the Regulation is amended by striking out "including the signed statement referred to in paragraph 6 of subsection 84.7 (1)".**

**(3) Subsection 84.8 (2) of the Regulation is amended by striking out "fashioned" and substituting "fastened".**

**13. Part VIII.2 of the Regulation is revoked and the following substituted:**

**PART VIII.2**

**NON-EMERGENCY SLAUGHTER OF FOOD ANIMALS ON PRODUCER PREMISES**

**DEFINITIONS**

**Definitions**

**84.15** In this Part,

"reportable disease" means a reportable disease within the meaning of the *Health of Animals Act* (Canada);

"unfit to enter a meat plant " means, in respect of a food animal or the carcass or part of a carcass of a food animal, that,



- (a) the animal, carcass or part of the carcass, as the case may be, may be contaminated with a disease, substance, condition or hazard that could contaminate a meat plant, the facilities, equipment or utensils at a meat plant, food animals, carcasses or parts of carcasses at a meat plant or meat products at a meat plant, or
- (b) the animal, carcass or part of the carcass, as the case may be, may be affected by a substance, disease or condition that could cause adverse effects to a meat plant, the facilities, equipment or utensils at a meat plant, food animals, carcasses or parts of carcasses at a meat plant or meat products at a meat plant.

#### ANTE MORTEM EXAMINATION

##### Ante mortem examination

**84.16** (1) This section applies to a food animal that is a head of cattle under 30 months of age or a pig and that is owned and raised by a producer on the producer's premises, if the producer,

- (a) slaughters the animal or has the animal slaughtered on the producer's premises; and
- (b) sends the carcass of the animal or part of the carcass to a meat plant for any of the purposes described in subsection (2) so that the parts of the carcass and farm slaughtered products processed at the plant from the carcass or the part of it that is sent to the plant will be returned to the producer for consumption by the producer or the producer's immediate family on the producer's premises.

(2) The purposes mentioned in clause (1) (b) are,

- (a) skinning, cutting, wrapping or freezing the carcass or the part of it that was sent to the meat plant;
- (b) grinding meat derived from the carcass or the part of it that was sent to the meat plant; and
- (c) processing ham, bacon or sausage from the carcass or the part of it that was sent to the meat plant, if the carcass is derived from a pig.

(3) A producer of a food animal described in subsection (1) shall ensure that, before the animal is slaughtered at the producer's premises where the animal is being raised,

- (a) if the producer is not an examiner, the animal is presented to an examiner for an ante mortem examination in a location that is acceptable to the examiner at the producer's premises; or
- (b) if the producer is an examiner, the producer,
  - (i) conducts an ante mortem examination of the animal in a location at the producer's premises that permits effective ante mortem examination, or
  - (ii) presents the animal to another examiner for an ante mortem examination in a location that is acceptable to the other examiner at the producer's premises.

(4) An examiner who conducts an ante mortem examination of a food animal under subsection (3) shall approve the animal for post mortem examination unless section 84.17 or 84.18 applies to the animal.

##### Referral to regional veterinarian

**84.17** (1) An examiner who conducts an ante mortem examination of a food animal shall refer the animal to a regional veterinarian if,

- (a) it appears to the examiner that the animal displays any sign of not being healthy or any deviation from normal behaviour or appearance or other condition that leads the examiner to,
  - (i) suspect that the animal may have a reportable disease,
  - (ii) believe that the animal is likely to be significantly contaminated, or
  - (iii) believe that the animal is likely to be affected by any disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal; or
- (b) the examiner has any reason to,
  - (i) suspect that the animal may have a reportable disease,
  - (ii) believe that the animal is likely to be significantly contaminated, or
  - (iii) believe that the animal is likely to be affected by any disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal.

(2) If an examiner refers an animal to a regional veterinarian under subsection (1) and the examiner is not the producer of the animal, the producer shall,

- (a) hold the animal in a location specified by the examiner at the producer's premises where the animal is being raised;

- (b) if the examiner requires, keep the animal apart from other animals; and
  - (c) identify the animal through identifying marks or devices and corresponding records in a manner acceptable to the examiner and maintain the identification for the time that the examiner specifies.
- (3) If an examiner refers an animal to a regional veterinarian under subsection (1) and the examiner is the producer of the animal, the producer shall,
- (a) hold the animal at the producer's premises where the animal is being raised;
  - (b) if the regional veterinarian requires, hold the animal in a location specified by the regional veterinarian at the premises and keep the animal apart from other animals; and
  - (c) identify the animal through identifying marks or devices and corresponding records in a manner acceptable to the regional veterinarian and maintain the identification for the time that the regional veterinarian specifies.
- (4) The regional veterinarian may do any of the following:
- 1. Refer the animal to a veterinary inspector for another ante mortem examination of the animal.
  - 2. Order that the producer of the animal no longer hold the animal in accordance with subsection (2) or (3), but hold it in a location specified by the regional veterinarian at the producer's premises where the animal is being raised, and keep it apart from other animals on the conditions that the regional veterinarian directs, if the regional veterinarian is of the opinion that it is necessary to do so for the rest, treatment or further observation, sampling, testing or other assessment of the animal.
  - 3. Subject to subsection (5), order that the animal no longer be held.
  - 4. Subject to subsection (5), approve the animal for post mortem examination and attach those conditions to the approval that the regional veterinarian deems appropriate, including requiring that the animal undergo post mortem examination by a veterinary inspector.
- (5) A regional veterinarian shall not take the action described in paragraph 4 of subsection (4) if the regional veterinarian,
- (a) suspects that the animal has a reportable disease;
  - (b) is of the opinion that the animal is likely to be significantly contaminated; or
  - (c) is of the opinion that the animal is likely to be affected by a disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal.
- (6) At any time after making an order that an animal be held under paragraph 2 of subsection (4), the regional veterinarian may make an order under that subsection.
- (7) If the regional veterinarian suspects that an animal referred to the regional veterinarian under subsection (1) has a reportable disease, the regional veterinarian shall notify a veterinary inspector designated under the *Health of Animals Act* (Canada) that the regional veterinarian suspects that the animal is affected by a reportable disease.

#### No post mortem examination in other cases

**84.18** (1) An examiner who conducts an ante mortem examination of a food animal shall refuse to approve the animal for post mortem examination if the animal is a head of cattle and the examiner is of the opinion that the animal is 30 months of age or older.

(2) An examiner who conducts an ante mortem examination of a food animal may refuse to approve the animal for post mortem examination if subsection 84.17 (1) does not require the examiner to refer the animal to a regional veterinarian and the examiner is of the opinion that the animal is unfit to enter a meat plant after it is slaughtered.

(3) A producer who disagrees with a decision of an examiner to refuse to approve an animal for post mortem examination under subsection (2) may request that a regional veterinarian refer the animal to a veterinary inspector for another ante mortem examination.

- (4) A regional veterinarian who receives a request from a producer under subsection (3) may,
  - (a) refer the animal to a veterinary inspector for another ante mortem examination; and
  - (b) establish conditions for the ante mortem examination by a veterinary inspector.

#### Response of veterinary inspector

**84.19** (1) If, under paragraph 1 of subsection 84.17 (4) or subsection 84.18 (4), a regional veterinarian refers a food animal to a veterinary inspector for another ante mortem examination, the veterinary inspector shall approve the animal for post mortem examination unless the veterinary inspector takes an action described in subsection (4), (5), (7), (9) or (10).

(2) A veterinary inspector who conducts an ante mortem examination of a food animal under this section and who suspects that the animal has a reportable disease shall notify a veterinary inspector designated under the *Health of Animals Act* (Canada) that the veterinary inspector suspects that the animal is affected by a reportable disease.



(3) A veterinary inspector who conducts an ante mortem examination of a food animal under this section shall take an action described in subsection (4) if the veterinary inspector,

- (a) suspects that the animal has a reportable disease;
- (b) is of the opinion that the animal is likely to be significantly contaminated; or
- (c) is of the opinion that the animal is likely to be affected by any disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal.

(4) The actions that a veterinary inspector is required to take under subsection (3) are any one of the following:

- 1. Ordering that the producer of the animal condemn and humanely euthanize the animal at the producer's expense, subject to the conditions that the veterinary inspector imposes if they are relevant to the euthanasia.
- 2. Ordering that the producer of the animal no longer hold the animal in accordance with subsection 84.17 (2) or (3), but hold it in a location specified by the veterinary inspector at the producer's premises where the animal is being raised, and keep it apart from other animals on the conditions that the veterinary inspector directs, if the veterinary inspector is of the opinion that it is necessary to do so for the rest, treatment or further observation, sampling, testing or other assessment of the animal.

(5) If the veterinary inspector who conducts an ante mortem examination of a food animal under this section is of the opinion that it is necessary to euthanize the animal in order to prevent or relieve its undue suffering or distress or because it is near death, the veterinary inspector may order the producer of the animal to condemn and humanely euthanize the animal at the producer's expense and may attach conditions to the order that are relevant to the form of euthanasia or disposal of the animal.

(6) A veterinary inspector who makes an order under subsection (5) shall not take an action described in subsection (7).

(7) If the veterinary inspector who conducts an ante mortem examination of a food animal under this section determines that the animal is unfit to enter a meat plant after it is slaughtered, the inspector may do any of the following:

- 1. Refuse to approve the animal for post mortem examination.
- 2. Order that the producer of the animal no longer hold the animal in accordance with subsection 84.17 (2) or (3), but hold it in a location specified by the veterinary inspector at the producer's premises where the animal is being raised, and keep it apart from other animals on the conditions that the veterinary inspector directs, if the veterinary inspector is of the opinion that it is necessary to do so for the rest, treatment or further observation, sampling, testing or other assessment of the animal.
- 3. Subject to subsection (8), order that the animal no longer be held.
- 4. Subject to subsection (8), approve the animal for post mortem examination and attach those conditions to the approval that the inspector deems appropriate, including requiring that the animal undergo post mortem examination by a veterinary inspector.

(8) A veterinary inspector shall not take the action described in paragraph 4 of subsection (7) if the veterinary inspector,

- (a) suspects that an animal has a reportable disease;
- (b) is of the opinion that the animal is likely to be significantly contaminated; or
- (c) is of the opinion that the animal is likely to be affected by any disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal.

(9) A veterinary inspector who, under this section, conducts an ante mortem examination of a food animal that is a head of cattle and who is of the opinion that the animal is 30 months of age or older shall refuse to approve the animal for post mortem examination.

(10) At any time after making an order that an animal be held under paragraph 2 of subsection (4) or paragraph 2 of subsection (7), the veterinary inspector,

- (a) shall take all actions that the veterinary inspector is required to take under this section;
- (b) shall refrain from taking any action that the veterinary inspector is prohibited from taking under this section; and
- (c) may take any action that the veterinary inspector is authorized to take under this section.

#### Order for euthanasia

**84.20** (1) If a veterinary inspector makes an order under paragraph 1 of subsection 84.19 (4) or subsection 84.19 (5), the producer shall,

- (a) have the animal euthanized in a manner and place acceptable to the veterinary inspector; and

- (b) dispose of the animal's remains in accordance with a method,
  - (i) specified by the veterinary inspector if the veterinary inspector ordered the animal to be euthanized under paragraph 1 of subsection 84.19 (4), or
  - (ii) specified in subsection 3 (1) of the *Dead Animal Disposal Act*, if the veterinary inspector ordered the animal to be euthanized under subsection 84.19 (5).
- (2) If the producer does not comply with an order made under paragraph 1 of subsection 84.19 (4) or subsection 84.19 (5), an inspector may, without a hearing,
  - (a) seize the animal that is the subject of the order;
  - (b) condemn and euthanize it and dispose of its remains or arrange for the condemnation, euthanasia and disposal of remains; and
  - (c) order the producer to pay for the condemnation, euthanasia and disposal of remains.

#### Identification of food animal that is held

**84.21** (1) An examiner or veterinary inspector who receives a food animal for an ante mortem examination may require the producer of the animal to identify the animal through identifying marks or devices and corresponding records in a manner acceptable to the examiner or veterinary inspector, as the case may be, and to maintain the identification for the time that the examiner or veterinary inspector specifies.

(2) A veterinary inspector who orders the producer of a food animal to hold the animal under paragraph 2 of subsection 84.19 (4) or paragraph 2 of subsection 84.19 (7), may require the producer to identify the animal through identifying marks or devices and corresponding records in a manner acceptable to the veterinary inspector and to maintain the identification for the time that the veterinary inspector specifies.

(3) An examiner or veterinary inspector may specify that the identification required under this section continues to apply after slaughter of the animal and in respect of the carcass or part of the carcass derived from the animal.

(4) The producer shall comply with any requirements imposed by an examiner or veterinary inspector under this section.

### POST MORTEM EXAMINATION

#### Slaughter requirements for post mortem examination

**84.22** (1) This section applies to a food animal and its carcass if,

- (a) the animal is a head of cattle or a pig that, in accordance with this Part, has been approved for post mortem examination;
- (b) the producer of the animal presents its carcass to an examiner for a post mortem examination, if the producer is not an examiner; and
- (c) the producer of the animal conducts a post mortem examination of the carcass or presents the carcass to an examiner for a post mortem examination, if the producer is an examiner.

(2) No person shall slaughter or exsanguinate a food animal unless the person is the producer of the animal or an examiner.

(3) A producer of a food animal shall not slaughter or exsanguinate the animal except in the presence of an examiner, unless the producer is an examiner.

(4) A producer of a food animal who slaughters the animal or an examiner who slaughters a food animal shall do so in a location that is acceptable to the examiner at the producer's premises where the animal was raised.

(5) A producer of a food animal or an examiner shall not slaughter a food animal,

- (a) in unhygienic conditions; or
- (b) in a way that subjects the animal to avoidable pain or distress.

(6) A producer of a food animal who slaughters the animal or an examiner who slaughters a food animal shall ensure that the animal is stunned and rendered unconscious by a method specified in subsection (7) and in a manner that ensures that the animal does not regain consciousness before death.

(7) The following are the methods to stun and render a food animal unconscious for the purposes of subsection (6):

1. Delivering a blow to the head of the animal by means of a mechanical penetrating device that causes immediate loss of consciousness.
2. Using a rifle in a manner that causes an immediate loss of consciousness to the animal.



(8) A producer of a food animal or an examiner shall not use any equipment or instrument to restrain, slaughter or render the animal unconscious unless,

- (a) the producer or examiner is competent and physically able to do so without subjecting the animal to avoidable pain or distress; and
- (b) the condition of the equipment or instrument and the circumstances under which it is used will not subject the animal to avoidable pain or distress.

(9) A producer of a food animal who slaughters the animal or an examiner who slaughters a food animal shall exsanguinate the animal immediately after slaughter.

#### **Dressing requirements for post mortem examination**

**84.23** (1) This section applies to a food animal and its carcass if it meets the requirements set out in subsection 84.22 (1).

(2) No person shall dress the carcass of a food animal unless the person is the producer of the animal or an examiner.

(3) A producer of a food animal shall not dress the carcass of the animal except in the presence of an examiner, unless the producer is an examiner.

(4) A producer of a food animal or an examiner shall dress the carcass of the animal promptly after slaughter so as to prevent deterioration of the carcass and shall do so in a location that is acceptable to the examiner at the producer's premises where the animal was raised.

(5) A producer of a food animal or an examiner shall dress the carcass of the food animal in hygienic conditions and in a manner that permits effective post mortem examination.

(6) If an examiner dresses a carcass of food animal that is a head of cattle or is present when the producer of a head of cattle dresses the carcass, the examiner shall ensure that that all specified risk material, being the distal ileum, is removed from the carcass.

#### **Post mortem examination**

**84.24** (1) Subject to subsection (2), a producer of a food animal that is a head of cattle or a pig and that, in accordance with this Part, has been approved for post mortem examination, shall, unless the producer does not send the animal to a meat plant for the purposes described in subsection 84.16 (2),

- (a) if the producer is not an examiner, present the carcass of the animal to an examiner for a post mortem examination immediately after slaughter and dressing; or
- (b) if the producer is an examiner, conduct a post mortem examination of the carcass of the animal or present the carcass of the animal to another examiner for a post mortem examination immediately after slaughter and dressing.

(2) No producer of a food animal shall present the carcass of the animal for post mortem examination and no examiner shall conduct a post mortem examination of the carcass of a food animal, unless,

- (a) the animal has been approved for post mortem examination in accordance with sections 84.16, 84.17 and 84.19;
- (b) the animal has been slaughtered and exsanguinated in accordance with section 84.22 within 24 hours of being approved for post mortem examination; and
- (c) the carcass of the animal has been dressed in accordance with section 84.23.

(3) An examiner who conducts a post mortem examination of the carcass of a food animal shall approve the carcass to enter a meat plant unless section 84.25, 84.26 or 84.27 applies to it.

#### **Referral to regional veterinarian**

**84.25** (1) An examiner who conducts a post mortem examination of the carcass of a food animal shall refuse to approve the carcass to enter a meat plant and shall refer the carcass to a regional veterinarian if,

- (a) it appears to the examiner that the carcass displays any deviation from normal appearance or other condition that leads the examiner to,
  - (i) suspect that the animal from which the carcass is derived had a reportable disease at the time of its slaughter,
  - (ii) believe that the carcass is likely to be significantly contaminated, or
  - (iii) believe that the carcass is likely to be affected by any disease, condition or substance that could make the carcass a significant risk to the health or safety of any person or animal; or
- (b) the examiner has any reason to,
  - (i) suspect that the animal from which the carcass is derived had a reportable disease at the time of its slaughter,
  - (ii) believe that the carcass is likely to be significantly contaminated, or

- (iii) believe that the carcass is likely to be affected by any disease, condition or substance that could make the carcass a significant risk to the health or safety of any person or other animal.
- (2) If an examiner refers a carcass to a regional veterinarian under subsection (1) and the examiner is not the producer of the animal, the producer of the animal shall,
  - (a) hold the carcass in a location specified by the examiner at the producer's premises where the animal was slaughtered; and
  - (b) identify the carcass through identifying marks or devices and corresponding records in a manner acceptable to the examiner and maintain the identification for the time that the examiner specifies.
- (3) If an examiner refers a carcass to a regional veterinarian under subsection (1) and the examiner is the producer of the animal, the producer of the animal shall,
  - (a) hold the carcass at the producer's premises where the animal was slaughtered;
  - (b) if the regional veterinarian requires, keep the carcass in a location specified by the regional veterinarian at the premises; and
  - (c) identify the carcass through identifying marks or devices and corresponding records in a manner acceptable to the regional veterinarian and maintain the identification for the time that the regional veterinarian specifies.
- (4) The regional veterinarian may do any of the following:
  - 1. Refer the carcass to a veterinary inspector for another post mortem examination of the carcass.
  - 2. Order that the producer of the animal from which the carcass is derived no longer hold it in accordance with subsection (2) or (3) but hold it on the conditions that the regional veterinarian directs.
  - 3. Subject to subsection (5), order that the carcass no longer be held.
  - 4. Subject to subsection (5), approve the carcass to enter a meat plant and attach those conditions to the approval that the regional veterinarian deems appropriate.
- (5) A regional veterinarian shall not take the action described in paragraph 4 of subsection (4) if the regional veterinarian,
  - (a) suspects that the animal from which the carcass is derived had a reportable disease at the time of its slaughter;
  - (b) is of the opinion that the carcass is likely to be significantly contaminated; or
  - (c) is of the opinion that the carcass is likely to be affected by a disease, condition or substance that could make the carcass a significant risk to the health or safety of any person or other animal.
- (6) At any time after making an order that a carcass be held under paragraph 2 of subsection (4), the regional veterinarian may make an order under that subsection.
- (7) If the regional veterinarian suspects that a carcass referred to the regional veterinarian under subsection (1) is derived from an animal that had a reportable disease at the time of its slaughter, the regional veterinarian shall notify a veterinary inspector designated under the *Health of Animals Act* (Canada) that the regional veterinarian suspects that the animal was at the time of slaughter affected by a reportable disease.

#### **Carcass unfit to enter meat plant**

**84.26** (1) An examiner who conducts a post mortem examination of a carcass of a food animal shall refuse to approve the carcass to enter a meat plant if the animal from which the carcass is derived is a head of cattle and the examiner is of the opinion that the animal was 30 months of age or older at the time of its slaughter.

(2) An examiner who conducts a post mortem examination of a carcass of a food animal may refuse to approve the carcass to enter a meat plant if subsection 84.25 (1) does not require the examiner to refer the carcass to a regional veterinarian and the examiner is of the opinion that the carcass is unfit to enter a meat plant.

(3) A producer who disagrees with a decision of an examiner to refuse to approve a carcass to enter a meat plant under subsection (2) may request that a regional veterinarian refer the carcass to a veterinary inspector for another post mortem examination.

- (4) A regional veterinarian who receives a request from a producer under subsection (3) may,
  - (a) refer the carcass to a veterinary inspector for another post mortem examination; and
  - (b) establish conditions for the post mortem examination by a veterinary inspector.

#### **Response of veterinary inspector**

**84.27** (1) If, under paragraph 1 of subsection 84.25 (4) or clause 84.26 (4) (a), a regional veterinarian refers a carcass derived from a food animal to a veterinary inspector for another post mortem examination, the veterinary inspector shall approve the carcass to enter a meat plant unless the veterinary inspector takes an action described in subsection (4), (5), (7) or (8).



(2) A veterinary inspector who conducts a post mortem examination of a carcass under this section and who suspects that the carcass is derived from a food animal that had a reportable disease at the time of its slaughter shall notify a veterinary inspector designated under the *Health of Animals Act* (Canada) that the veterinary inspector suspects that the animal was affected by a reportable disease at the time of slaughter.

(3) A veterinary inspector who conducts a post mortem examination of the carcass under this section shall take an action described in subsection (4) if the veterinary inspector,

- (a) suspects that the animal from which the carcass is derived had a reportable disease at the time of its slaughter;
- (b) is of the opinion that the carcass is significantly contaminated; or
- (c) is of the opinion that the carcass is affected by any disease, condition or substance that could make the carcass a significant risk to the health or safety of any person or other animal.

(4) The actions that a veterinary inspector is required to take under subsection (3) are any one of the following:

- 1. Ordering that the producer of the animal from which the carcass is derived condemn and dispose of the carcass at the producer's expense.
- 2. Ordering that the producer of the animal from which the carcass is derived no longer hold the carcass in accordance with subsection 84.25 (2) but hold it on the conditions that the inspector directs.

(5) If the veterinary inspector who conducts a post mortem examination of a carcass derived from a food animal under this section is of the opinion that the carcass or part of the carcass is unfit to enter a meat plant, the veterinary inspector may do any of the following:

- 1. Refuse to approve carcass or any part of the carcass to enter a meat plant.
- 2. Order that the producer of the animal from which the carcass is derived no longer hold the carcass or any part of the carcass in accordance with subsection 84.25 (2) but hold it on the conditions that the veterinary inspector directs.
- 3. Subject to subsection (6), order that the carcass or part of the carcass no longer be held.
- 4. Subject to subsection (6), approve the carcass or any part of the carcass to enter a meat plant and attach those conditions to the approval that the inspector deems appropriate.

(6) A veterinary inspector shall not take the action described in paragraph 4 of subsection (5) if the veterinary inspector,

- (a) suspects that the animal from which the carcass is derived had a reportable disease at the time of its slaughter;
- (b) is of the opinion that the carcass is likely to be significantly contaminated; or
- (c) is of the opinion that the carcass is likely to be affected by a disease, condition or substance that could make the animal a significant risk to the health or safety of any person or other animal.

(7) A veterinary inspector who, under this section, conducts a post mortem examination of the carcass of a food animal that is a head of cattle and who is of the opinion that the animal was 30 months of age or older at the time of its slaughter shall refuse to approve the carcass to enter a meat plant.

(8) At any time after making an order that a carcass be held under paragraph 2 of subsection (4) or paragraph 2 of subsection (5), the veterinary inspector,

- (a) shall take all actions that the veterinary inspector is required to take under this section;
- (b) shall refrain from taking any action that the veterinary inspector is prohibited from taking under this section; and
- (c) may take any action that the veterinary inspector is authorized to take under this section.

#### Order for disposal of carcass

**84.28** (1) If a veterinary inspector makes an order under paragraph 1 of subsection 84.27 (4), the producer of the food animal from which the carcass is derived shall condemn and dispose of the carcass in accordance with a method that the veterinary inspector specifies.

- (2) If the producer does not comply with the order, an inspector may, without a hearing,
  - (a) seize the carcass;
  - (b) condemn it and dispose of it; and
  - (c) order the producer to pay for the condemnation and disposal.

#### Identification of carcass

**84.29** (1) An examiner or veterinary inspector who receives a carcass of a food animal for post mortem examination may require the producer of the animal to identify the carcass or any part of the carcass through identifying marks or devices and corresponding records in a manner acceptable to the examiner or veterinary inspector, as the case may be, and to maintain the identification for the time that the examiner or veterinary inspector specifies.

(2) A veterinary inspector who orders the producer of a food animal to hold the carcass derived from the animal under paragraph 2 of subsection 84.27 (4) or to hold the carcass or any part of it under paragraph 2 of subsection 84.27 (5) may require the producer to identify the carcass or any part of it through identifying marks or devices and corresponding records in a manner acceptable to the veterinary inspector and to maintain the identification for the time that the veterinary inspector specifies.

(3) The producer shall comply with any requirements imposed by an examiner or veterinary inspector under this section.

#### ENTRY INTO MEAT PLANT

##### Approval to enter a meat plant

**84.30** (1) If an examiner conducts a post mortem examination of a carcass derived from a food animal and, under subsection 84.24 (3), approves the carcass to enter a meat plant, the examiner shall, immediately after issuing the approval,

- (a) legibly stamp the carcass with the examination stamp assigned to the examiner; and
- (b) complete a certificate that complies with subsection 84.32 (1).

(2) If a regional veterinarian approves the carcass of a food animal to enter a meat plant under paragraph 4 of subsection 84.25 (4) or if a veterinary inspector approves the carcass of a food animal or any part of it to enter a meat plant under subsection 84.27 (1) or paragraph 4 of subsection 84.27 (5), the examiner who slaughtered the animal from which the carcass or the part of the carcass is derived or who was present when the animal was slaughtered shall,

- (a) legibly stamp the carcass or the part of the carcass that has been approved to enter a meat plant with the examination stamp assigned to examiner; and
- (b) complete a certificate that complies with subsection 84.32 (1).

(3) No person shall transport to or receive at a meat plant under subsection 84 (4) a carcass or part of a carcass that has been approved to enter a meat plant unless,

- (a) the examiner has complied with subsection (1) or (2), as applicable; or
- (b) the operator of the meat plant receives the carcass or the part of the carcass and condemns and disposes of it in accordance with subsection 84.34 (6).

##### Examination stamp on carcass

**84.31** (1) No person other than the examiner to whom a director has assigned an examination stamp shall apply the stamp to a carcass or part of carcass derived from a food animal.

(2) No person shall apply an examination stamp to a carcass or part of a carcass of a food animal, unless the carcass or part of the carcass, in accordance with this Part, has received a post mortem examination and been approved to enter a meat plant.

(3) No person shall apply an examination stamp to,

- (a) a carcass, part of a carcass or a meat product if the carcass, part of a carcass or product is described in clause 112 (1) (a);
- (b) inedible material; or
- (c) a hunted game carcass or a hunted game product.

(4) An examiner who applies the examination stamp to a carcass shall apply it to the interior surfaces of both sides of the carcass.

(5) An examiner who applies the examination stamp to a part of a carcass shall apply it to,

- (a) the interior surface of both sides of the part of the carcass, if the part of the carcass contains two sides; or
- (b) the interior surface of one side of the carcass, if the part of the carcass does not contain two sides.

(6) An examiner shall only use ink that is fit for human consumption to stamp the examination stamp on a carcass or part of a carcass.

##### Certificate

**84.32** (1) The certificate required by subsection 84.30 (1) or (2) for a carcass or part of a carcass of a food animal that has been approved to enter a meat plant shall be in a form approved by a director and contain the following:

1. The examiner's name and certificate number.
2. The name of the producer who owned the animal at time of slaughter and the address of the producer's premises where the animal was slaughtered.
3. The species of the animal.



4. If the animal was a head of cattle, the age of the animal at the time of slaughter and the method used to determine the age.
5. The name of the examiner, veterinary inspector or regional veterinarian who approved the animal for post mortem examination.
6. The date and time that the animal was slaughtered.
7. The name of the examiner, veterinary inspector or regional veterinarian who approved the carcass or the part of the carcass to enter a meat plant.
8. The conditions attached under paragraph 4 of subsection 84.25 (4) or paragraph 4 of subsection 84.27 (5) to the approval of the carcass or the part of the carcass to enter a meat plant.
9. The number and address of the meat plant to which the carcass or the part of the carcass is to be transported and the name of the operator of the plant.
10. Any identifying marks or devices on the carcass or the part of the carcass.
11. A signed statement that, in the examiner's opinion, the slaughter was carried out in substantial conformity with that section.

(2) An examiner who completes a certificate under subsection (1) shall keep a copy of the certificate for at least 12 months after the date it was issued and shall produce it to an inspector on request.

**Operator's duty to comply with conditions**

**84.33** If a carcass or part of the carcass of a food animal has received approval to enter a meat plant subject to conditions attached under paragraph 4 of subsection 84.25 (4) or paragraph 4 of subsection 84.27 (5), the operator of a meat plant that receives the carcass or the part of the carcass shall comply with the conditions.

**Transport of carcass to meat plant**

**84.34** (1) If a carcass or part of the carcass of a food animal has been approved, in accordance with this Part, to enter a meat plant, no person shall transport it from the producer's premises where the animal was slaughtered,

- (a) to a meat plant, unless the person is an examiner or the producer who owned the animal at that time it was slaughtered;
- (b) to any place other than a meat plant that is operated by a licensee and that a regional veterinarian has approved for the purposes of receiving and processing the carcass or part of the carcass under Part VIII.3; or
- (c) to a meat plant operated by a licensee at any time other than a time when the operator of the plant has been authorized to receive and process the carcass or part of the carcass under Part VIII.3.

(2) A producer who ships, to a meat plant, a carcass or part of a carcass of a food animal that, in accordance with this Part, has been approved to enter a meat plant, shall ensure that,

- (a) after post mortem examination, the carcass or part of the carcass is stamped with the examination stamp and promptly delivered by the producer or an examiner to a meat plant that is operated by a licensee and that a regional veterinarian has approved for the purposes of receiving and processing carcasses of food animals slaughtered on farms under Part VIII.3;
- (b) the carcass or part of the carcass is transported to the meat plant only during a time that the operator of the meat plant has been authorized to receive the carcass or part of the carcass under Part VIII.3;
- (c) the carcass or the part of the carcass is transported to the meat plant in accordance with subsections (4) and (5); and
- (d) on delivery to the meat plant, the carcass or the part of the carcass is accompanied by a certificate that complies with subsection 84.32 (1).

(3) An examiner who transports, to a meat plant, a carcass or part of a carcass of a food animal that, in accordance with this Part, has been approved to enter a meat plant shall ensure that,

- (a) the carcass or part of the carcass is transported to the meat plant in accordance with subsections (1), (4) and (5); and
- (b) on delivery to the meat plant, the carcass or the part of the carcass is accompanied by a certificate that complies with subsection 84.32 (1).

(4) Subject to subsection (5), when a carcass or part of a carcass of a food animal that, in accordance with this Part, has been approved to enter a meat plant is transported to a meat plant, it shall be in a clean leakproof transport container and shall be transported in a manner so that the carcass or part of a carcass is securely fastened in the container, is protected from contamination and is not exposed to public view.

(5) If the skin has been removed from the carcass or part of the carcass on the producer's premises, then, before it is placed in the transport container and transported to the meat plant, it shall be,



- (a) thoroughly washed; and
- (b) completely wrapped with material that is durable, free of contaminants and otherwise suitable for packaging meat products.

(6) If the carcass or part of a carcass of a food animal is delivered to a meat plant under subsection (1) and if it is not stamped with an examination stamp in accordance with section 84.31 and accompanied by a certificate that complies with subsection 84.32 (1), the operator of the plant may receive the carcass or part of the carcass only for the purpose of condemning it; in that case, the operator shall ensure that the carcass or part of the carcass is condemned and disposed of in accordance with section 91.

- (7) If the operator fails to comply with subsection (6), an inspector may, without a hearing,
  - (a) seize the carcass or part of the carcass;
  - (b) condemn the carcass or part of the carcass and dispose of it or arrange for its disposal; and
  - (c) order the operator to pay for the condemnation and disposal of the carcass or part of the carcass.

#### Non-application of other Parts

**84.35** Parts IV to VII, sections 58 to 83 and Parts VIII.1, VIII.4 and X to XIV do not apply to a farm slaughtered carcass, a part of a farm slaughtered carcass or farm slaughtered products if the carcass, the parts of the carcass or the farm slaughtered products are consumed only,

- (a) by the producer of the food animal from which the carcass, the parts of the carcass or the farm slaughtered products are derived or by the producer's immediate family; and
- (b) on the producer's premises where the animal was raised and slaughtered.

#### FOOD ANIMALS NOT PROCESSED OUTSIDE THE PRODUCER'S PREMISES BUT USED FOR CONSUMPTION ON THE PRODUCER'S PREMISES

#### Non-application of other Parts

**84.36** (1) In this section,

"premises", in respect of the producer of a food animal that has been slaughtered, means the premises of the producer where the animal was raised and slaughtered.

(2) Parts III to VIII, sections 84.15 to 84.35 and Parts VIII.3 to XIV do not apply to a food animal or any carcass, parts of a carcass or meat products derived from it if,

- (a) the animal has been approved for slaughter in accordance with Part VIII.1;
- (b) the animal has been slaughtered on the premises of the producer of the animal by the producer or, if the animal is a head of cattle or a pig, by the producer or an examiner; and
- (c) the animal, carcass, parts of a carcass and meat products have not been transported from the producer's premises and are consumed only by the producer or the producer's immediate family on the producer's premises.

(3) Parts III to VIII.1, sections 84.15 to 84.35 and Parts VIII.3 to XIV do not apply to a food animal or any carcass, parts of a carcass or meat products derived from it if,

- (a) the animal has been slaughtered on the premises of the producer of the animal by the producer or, if the animal is a head of cattle or a pig, by the producer or an examiner;
- (b) the animal has been slaughtered for consumption by the producer or the producer's immediate family;
- (c) the producer of the animal does not present it for an ante mortem inspection in accordance with Part VIII.1;
- (d) the producer of the animal does not present it for an ante mortem examination in accordance with this Part, if the producer is not an examiner;
- (e) the producer of the animal does not conduct an ante mortem examination of the animal in accordance with this Part or present it to another examiner for an ante mortem examination in accordance with this Part, if the producer is an examiner; and
- (f) the animal, carcass, parts of a carcass and meat products have not been transported from the producer's premises and are consumed only by the producer or the producer's immediate family on the producer's premises.

(4) Parts III to VIII.1, sections 84.22 to 84.35 and Parts VIII.3 to XIV do not apply to a food animal that is a head of cattle under 30 months of age or a pig or any carcass, parts of a carcass or meat products derived from such a food animal if,

- (a) the animal has been slaughtered on the premises of the producer of the animal by the producer or an examiner;

- (b) the animal has been slaughtered for consumption by the producer or the producer's immediate family;
  - (c) in accordance with this Part, the producer of the animal presents the animal for an ante mortem examination but not for a post mortem examination, if the producer is not an examiner;
  - (d) in accordance with this Part, the producer of the animal, if the producer is an examiner,
    - (i) conducts an ante mortem examination of the animal or presents it to another examiner for an ante mortem examination, and
    - (ii) does not conduct a post mortem examination of the carcass or present the carcass to another examiner for a post mortem examination; and
  - (e) the animal, carcass, parts of a carcass and meat products have not been transported from the producer's premises and are consumed only by the producer or the producer's immediate family on the producer's premises.
- (5) Parts III to VIII.1 and Parts VIII.3 to XIV do not apply to a food animal that is a head of cattle under 30 months of age or a pig or any carcass, parts of a carcass or meat products derived from such a food animal if,
- (a) the animal has been slaughtered on the premises of the producer of the animal by the producer or an examiner;
  - (b) the animal has been slaughtered for consumption by the producer or the producer's immediate family;
  - (c) the producer of the animal presents the carcass for a post mortem examination in accordance with this Part, if the producer is not an examiner;
  - (d) the producer of the animal conducts a post mortem examination in accordance with this Part or presents the carcass to another examiner for a post mortem examination in accordance with this Part, if the producer is an examiner; and
  - (e) the animal, carcass, parts of a carcass and meat products have not been transported from the producer's premises and are consumed only by the producer or the producer's immediate family on the producer's premises.

#### **Slaughter record**

**84.37** (1) Subject to subsection (3), an examiner who slaughters a food animal that is a head of cattle or a pig on the premises of the producer of the animal for consumption by the producer or the producer's immediate family on the premises shall make a record of the slaughter that includes,

- (a) the examiner's name and certificate number;
- (b) the name of the producer who owned the animal at the time of slaughter and the address of the producer's premises where the animal was slaughtered;
- (c) the species of the animal;
- (d) the date and time that the animal was slaughtered; and
- (e) any identifying marks or devices on the carcass of the animal.

(2) An examiner who makes a slaughter record under subsection (1) shall keep a copy of the record for at least 12 months after the date it was issued and shall produce it to an inspector on request.

(3) Subsection (1) does not apply to an animal, if the carcass of the animal or part of the carcass has been approved to enter a meat plant under this Part and an examiner completes a certificate for the carcass that complies with subsection 84.32 (1).

### **PART VIII.3 FARM SLAUGHTERED CARCASSES IN MEAT PLANTS**

#### **Entry of farm slaughtered carcass into meat plant**

**84.38** (1) The operator of a meat plant may receive a farm slaughtered carcass or part of a farm slaughtered carcass at the plant for any of the purposes described in subsection (2) so that the farm slaughtered products derived from the carcass or the part of it will be returned to the producer of the carcass for consumption by the producer or the producer's immediate family on the producer's premises if,

- (a) the operator does not have any reason to believe that the carcass or the part of it is contaminated;
- (b) the operator has established a farm slaughtered carcass protocol that satisfies the requirements set out in subsection (3);
- (c) a regional veterinarian, under section 84.39, has approved the plant for the purposes of receiving farm slaughtered carcasses; and
- (d) the operator receives the carcass or the part of it at a time approved by the regional veterinarian mentioned in clause (c).

- (2) The purposes mentioned in subsection (1) are,
  - (a) skinning the carcass or the part of it;
  - (b) removing the feet from the carcass or the part of it;
  - (c) cutting wrapping or freezing the carcass or the part of it or grinding meat derived from the carcass or the part of it; and
  - (d) processing ham, bacon or sausage from the carcass or the part of it if the carcass or the part of it is derived from a pig.
- (3) A farm slaughtered carcass protocol for a meat plant shall be in writing and shall specify the manner in which,
  - (a) farm slaughtered carcasses and parts of them shall be skinned at the plant;
  - (b) farm slaughtered carcasses, parts of them and farm slaughtered products shall be processed, handled, packaged and stored at the plant;
  - (c) the facilities, equipment and utensils of the plant that are used for skinning farm slaughtered carcasses and parts of them or used for the processing, handling, packaging or storage of farm slaughtered carcasses, parts of them and farm slaughtered products shall be cleaned and sanitized; and
  - (d) the premises, facilities, equipment and utensils of the plant and the following items at the plant shall be protected against contamination by farm slaughtered carcasses, parts of them and farm slaughtered products:
    - (i) food animals,
    - (ii) carcasses and parts of them that are derived from food animals and that are not farm slaughtered carcasses,
    - (iii) meat products.

#### Approval of meat plant

- 84.39** (1) A regional veterinarian may approve a meat plant for the purposes of receiving farm slaughtered carcasses for,
- (a) one period of one or more consecutive weeks to a maximum of 12 consecutive weeks,
    - (i) between September 15 and December 31 in 2008,
    - (ii) between September 1 and December 31 in a year after 2008; and
  - (b) one period of one or more consecutive weeks to a maximum of four consecutive weeks between March 1 and April 30 in a year.
- (2) A regional veterinarian may refuse to approve a meat plant for the purposes of receiving farm slaughtered carcasses if of the opinion that,
- (a) the farm slaughtered carcass protocol for the plant does not comply with subsection 84.38 (3);
  - (b) the protocol is insufficient to protect the premises, facilities, equipment and utensils of the plant and the following items at the plant against contamination by farm slaughtered carcasses, parts of them and farm slaughtered products:
    - (i) food animals,
    - (ii) carcasses and parts of them that are derived from food animals and that are not farm slaughtered carcasses,
    - (iii) meat products;
  - (c) the operator is not in a position to comply with the protocol; or
  - (d) the operator is not in a position to comply with this Part.
- (3) A regional veterinarian may at any time suspend or revoke an approval of a meat plant to receive farm slaughtered carcasses,
- (a) for any reason that the veterinarian could refuse to approve the plant under subsection (2); or
  - (b) if of the opinion that the operator or a person under his or her control is not complying with the farm slaughtered carcass protocol, section 84 or 84.33, subsection 84.34 (6) or this Part.

#### Records of farm slaughtered carcasses

- 84.40** (1) The operator of a meat plant that receives a farm slaughtered carcass or part of a farm slaughtered carcass shall make and keep at the plant for at least 12 months from the time at which the carcass or the part of it was received at the plant, a record of the carcass in a form acceptable to a director.
- (2) The record shall include,
- (a) the date on which the carcass or the part of it was received;



- (b) the name and address of the person who delivered the carcass or the part of it to the plant;
- (c) the name and address of the producer of the carcass or the part of it; and
- (d) the species of the food animal.

(3) In addition to the record required under subsection (1), the operator shall keep at the meat plant for at least 12 months from the time at which the carcass or the part of it was received at the plant, a copy of the certificate that accompanied the carcass or the part of it to the plant and that complies with subsection 84.32 (1).

#### **Handling and storage**

**84.41** (1) The operator of a meat plant that receives a farm slaughtered carcass or part of a farm slaughtered carcass shall ensure that the carcass or the part of it is skinned, trimmed and washed and the feet are removed from the carcass in a manner that prevents contamination of the premises, facilities, equipment and utensils of the plant and the following items at the plant:

- 1. Food animals.
- 2. Carcasses or parts of them that are derived from food animals and that are not farm slaughtered carcasses.
- 3. Meat products.

(2) The operator of the meat plant shall ensure that every farm slaughtered carcass, every part of a farm slaughtered carcass and every farm slaughtered product is marked or identified as such,

- (a) in a manner that is acceptable to an inspector; and
- (b) at all times that the carcass, the part of it or the product is on the plant premises.

(3) The operator of the meat plant shall ensure that every skinned farm slaughtered carcass, every part of such a carcass and every farm slaughtered product is packaged and stored in a cooler or freezer at the plant in a manner that prevents it from contaminating the following items in the cooler or freezer:

- 1. Carcasses or parts of them that are derived from food animals and that are not farm slaughtered carcasses.
- 2. Meat products.

(4) The operator of the meat plant shall ensure that,

- (a) no farm slaughtered carcass, no part of a farm slaughtered carcass or no farm slaughtered product is in a room or area at the plant that contains a carcass or part of a carcass that is derived from a food animal and that is not a farm slaughtered carcass, unless the farm slaughtered carcass, the part of it or the farm slaughtered product is stored in a cooler or freezer in accordance with subsection (3); and
- (b) no farm slaughtered carcass, no part of a farm slaughtered carcass or no farm slaughtered product is in a room or area at the plant that contains a meat product unless,
  - (i) the meat product is an ingredient in a farm slaughtered product that will be processed using the farm slaughtered carcass, the part of it or the farm slaughtered product, or
  - (ii) the farm slaughtered carcass, the part of it or the farm slaughtered product is stored in a cooler or freezer in accordance with subsection (3).

(5) Subject to subsection (6), the operator of the meat plant shall ensure that equipment, utensils and food contact surfaces that have been in contact with a farm slaughtered carcass, a part of a farm slaughtered carcass, a farm slaughtered product or inedible material derived from such a carcass, part of such a carcass or a farm slaughtered product are effectively cleaned and sanitized before their use in connection with carcasses or parts of them that are derived from a food animal and that are not farm slaughtered carcasses or in connection with a meat product.

(6) The operator is not required to ensure that the items listed in subsection (5) are cleaned and sanitized before their use in connection with a meat product if the meat product is an ingredient in a farm slaughtered product.

#### **Disinfection of plant**

**84.42** (1) A regional veterinarian may order the operator of a meat plant to disinfect the plant if of the opinion a farm slaughtered carcass, a part of a farm slaughtered carcass or a farm slaughtered product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the following items at the plant:

- 1. Food animals.
  - 2. Carcasses or parts of carcasses that are derived from food animals and that are not farm slaughtered carcasses.
  - 3. Meat products.
- (2) The regional veterinarian may attach conditions to the order that relate to the time and manner of disinfection.

**Mandatory condemnation**

**84.43** (1) An operator of a meat plant who knows or has reasonable grounds to suspect that a farm slaughtered carcass, a part of a farm slaughtered carcass or a farm slaughtered product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the items listed in the paragraphs of subsection 84.42 (1) at the plant shall,

- (a) promptly condemn the carcass, the part of it or the product;
- (b) convey it immediately to the inedible materials room or area of the plant; and
- (c) dispose of it in accordance with section 91.

(2) An inspector may order an operator of a meat plant to take any of the actions described in clauses (1) (a) to (c) if the inspector is of the opinion that a farm slaughtered carcass, a part of a farm slaughtered carcass or a farm slaughtered product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the items listed in the paragraphs of subsection 84.42 (1) at the plant.

(3) An inspector who makes an order under subsection (2) may attach conditions to the order if they are relevant to the condemnation and disposal.

(4) If an operator does not comply with subsection (1) or with an order made under subsection (2), an inspector may, without a hearing,

- (a) seize the farm slaughtered carcass, the part of it or the farm slaughtered product;
- (b) condemn the farm slaughtered carcass, the part of it or the farm slaughtered product and dispose of it or arrange for its condemnation and disposal; and
- (c) order the operator to pay for the condemnation and disposal.

**Voluntary condemnation**

**84.44** (1) The operator of a meat plant may voluntarily condemn a farm slaughtered carcass, a part of a farm slaughtered carcass or a farm slaughtered product if,

- (a) an inspector has not detained or seized the carcass, the part of it or the product under the Act; or
  - (b) an inspector has detained or seized the carcass, the part of it or the product under the Act and a director approves the condemnation.
- (2) A director may attach the conditions to the approval that the director considers appropriate for the condemnation.

(3) An operator of a meat plant who condemns a farm slaughtered carcass, a part of it or a farm slaughtered product under this section shall,

- (a) in the case of condemnation under clause (1) (a), dispose of it in accordance with section 91; and
  - (b) in the case of condemnation under clause (1) (b), convey it immediately to the inedible materials room or area of the plant and, in the presence of an inspector, dispose of it in accordance with section 91.
- (4) If the operator does not comply with clause (3) (b), an inspector may, without a hearing,
- (a) seize the farm slaughtered carcass, the part of it or the farm slaughtered product;
  - (b) condemn the farm slaughtered carcass, the part of it or the farm slaughtered product and dispose of it or arrange for its condemnation and disposal; and
  - (c) order the operator to pay for the condemnation and disposal.

**Return to producer**

**84.45** (1) Subject to subsections (2) and (3), an operator of a meat plant that receives a farm slaughtered carcass or part of a farm slaughtered carcass shall ensure that all farm slaughtered products derived from the carcass or the part of it are returned from the plant to the producer of the food animal from which the carcass is derived within 28 days of receiving the carcass.

(2) If a regional veterinarian suspends or revokes the approval of a meat plant to receive farm slaughtered carcasses, the operator of the plant shall ensure that,

- (a) all farm slaughtered carcasses and parts of them at the plant are immediately returned from the plant to the respective producers of the food animals from which the carcasses are derived; and
- (b) all farm slaughtered products at the plant are immediately returned from the plant to the producers of the food animals from whose farm slaughtered carcasses the products are derived.

(3) Subsections (1) and (2) do not apply to a farm slaughtered carcass, a part of a farm slaughtered carcass or a farm slaughtered product if,



- (a) an inspector has detained or seized the carcass, the part of it or the product under the Act;
  - (b) the operator or an inspector has condemned the carcass, the part of it or the product under section 84.43 or 84.44 or is required to condemn the carcass, the part of it or the product under section 84.43; or
  - (c) the carcass, the part of it or the product is inedible material.
- (4) If the operator does not return all farm slaughtered products at the plant derived from the carcass or the part of it to the producer of the carcass within the time specified in subsection (1) or if the operator does not immediately return all farm slaughtered carcasses, all parts of them and all farm slaughtered products at the plant in accordance with subsection (2) after the approval of the plant to receive farm slaughtered carcasses is suspended or revoked, the operator shall,
- (a) promptly condemn the carcass, the part of it and any farm slaughtered product derived from the carcass or the part of it;
  - (b) convey the carcass, the part of it and any farm slaughtered products derived from the carcass or the part of it immediately to the inedible materials room or area of the plant; and
  - (c) dispose of the carcass, the part of it and any farm slaughtered product derived from the carcass or the part of it in accordance with section 91.
- (5) If the operator does not comply with subsection (4), an inspector may order the operator to take any of the actions described in clauses (4) (a) to (c).
- (6) An inspector who makes an order under subsection (5) may attach conditions to the order if they are relevant to the condemnation and disposal.
- (7) If an operator does not comply with subsection (1) or (2) or with an order made under subsection (5), an inspector may, without a hearing,
- (a) seize the carcass, the part of it and any farm slaughtered product derived from the carcass or the part of it;
  - (b) condemn the carcass, the part of it and any farm slaughtered product derived from the carcass or the part of it and dispose of the carcass, the part of it and the farm slaughtered products or arrange for their condemnation and disposal; and
  - (c) order the operator to pay for the condemnation and disposal.

#### Labelling

**84.46** (1) The operator of a meat plant that receives a farm slaughtered carcass or part of a farm slaughtered carcass shall ensure that every farm slaughtered product derived from the carcass or the part of it is labelled "Producer Owned, Not for Sale" in legible letters not less than 1.25 cm high before the product is shipped from the plant.

(2) If ink is used to stamp a label on a farm slaughtered product directly under subsection (1), only ink that is fit for human consumption shall be used.

### PART VIII.4 HUNTED GAME CARCASSES

#### Entry of hunted game carcass into meat plant

**84.47** (1) The operator of a meat plant may receive a hunted game carcass at the plant for the purposes of dressing, cutting, wrapping or freezing the carcass or processing hunted game products from it for the owner of the carcass if,

- (a) the operator does not have any reason to believe that the carcass is contaminated;
  - (b) the operator has established a hunted game carcass protocol that satisfies the requirements set out in subsection (2); and
  - (c) a regional veterinarian, under section 84.48, has approved the plant for the purposes of receiving and processing hunted game carcasses.
- (2) A hunted game carcass protocol for a meat plant shall be in writing and shall specify the manner in which,
- (a) hunted game carcasses shall be dressed at the plant;
  - (b) hunted game carcasses and products shall be processed, handled, packaged and stored at the plant;
  - (c) facilities, equipment and utensils of the plant that are used for dressing hunted game carcasses or used for the processing, handling, packaging or storage of hunted game carcasses and products shall be cleaned and sanitized; and
  - (d) the premises, facilities, equipment and utensils of the plant and food animals, carcasses and meat products at the plant shall be protected against contamination by hunted game carcasses and products.



**Approval of meat plant**

**84.48** (1) A regional veterinarian may refuse to approve a meat plant for the purposes of receiving hunted game carcasses under this Part if of the opinion that,

- (a) the hunted game carcass protocol for the plant does not comply with subsection (1);
- (b) the protocol is insufficient to protect the premises, facilities, equipment and utensils of the plant and food animals, carcasses and meat products at the plant against contamination by hunted game carcasses and products;
- (c) the operator is not in a position to comply with the protocol; or
- (d) the operator is not in a position to comply with this Part.

(2) A regional veterinarian may at any time suspend or revoke an approval of a meat plant to receive and process hunted game carcasses,

- (a) for any reason that approval could be refused under subsection (1); or
- (b) if of the opinion that the operator or a person under his or her control is not complying with the hunted game carcass protocol or with this Part.

**Records of hunted game carcasses**

**84.49** (1) The operator of a meat plant that receives a hunted game carcass shall make and keep at the plant for at least 12 months from the time at which the carcass was received at the plant, a record of the carcass in writing and in a form acceptable to a director.

- (2) The record shall include,
  - (a) the date on which the carcass was received;
  - (b) the name and address of the person who delivered the carcass to the plant;
  - (c) the name and address of the person who killed the hunted game animal;
  - (d) the species and gender of the hunted game animal; and
  - (e) the game seal number, if a game seal was attached to the carcass when it was received.

**Handling and storage**

**84.50** (1) The operator of a meat plant that receives a hunted game carcass shall ensure that the carcass is skinned, trimmed and washed in a manner that prevents contamination of the premises, facilities, equipment and utensils of the plant and food animals, carcasses, parts of carcasses or meat products at the plant.

(2) The operator of the meat plant shall ensure that every hunted game carcass and hunted game product is marked or identified as such,

- (a) in a manner that is acceptable to an inspector; and
- (b) at all times that the carcass or product is on the plant premises.

(3) The operator of the meat plant shall ensure that every dressed hunted game carcass and hunted game product is packaged and stored in a cooler or freezer at the plant in a manner that prevents it from contaminating carcasses, parts of carcasses and meat products in the cooler or freezer.

- (4) The operator of the meat plant shall ensure that,
  - (a) no hunted game carcass or product is in a room or area at the plant that contains a carcass or part of a carcass unless the hunted game carcass or product is stored in a cooler or freezer in accordance with subsection (3); and
  - (b) no hunted game carcass or product is in a room or area at the plant that contains a meat product, unless,
    - (i) the meat product is an ingredient in a hunted game product that will be processed using the hunted game carcass or product, or
    - (ii) the hunted game carcass or product is stored in a cooler or freezer in accordance with subsection (3).

(5) Subject to subsection (6), the operator of the meat plant shall ensure that equipment, utensils and food contact surfaces that have been in contact with a hunted game carcass, inedible material derived from such a carcass or a hunted game product are effectively cleaned and sanitized before their use in connection with a carcass, a part of a carcass or a meat product.

(6) The operator is not required to ensure that the items listed in subsection (5) are cleaned and sanitized before their use in connection with a meat product if the meat product is an ingredient in a hunted game product.

**Disinfection of plant**

**84.51** (1) A regional veterinarian may order the operator of a meat plant to disinfect the plant if of the opinion that a hunted game carcass or product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the food animals, or carcasses, parts of carcasses or meat products at the plant.

(2) The regional veterinarian may attach conditions to the order that relate to the time and manner of disinfection.

**Mandatory condemnation**

**84.52** (1) An operator of a meat plant who knows or has reasonable grounds to suspect that a hunted game carcass or product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the food animals, carcasses, parts of carcasses or meat products at the plant shall,

- (a) promptly condemn the carcass or product;
- (b) convey it immediately to the inedible materials room or area of the plant; and
- (c) dispose of it in accordance with section 91.

(2) An inspector may order an operator of a meat plant to take any of the actions described in clauses (1) (a) to (c) if the inspector is of the opinion that a hunted game carcass or product is likely to contaminate the premises, facilities, equipment or utensils of the plant or any of the food animals, carcasses, parts of carcasses or meat products at the plant.

(3) An inspector who makes an order under subsection (2) may attach conditions to the order if they are relevant to the condemnation and disposal.

(4) If an operator does not comply with subsection (1) or with an order made under subsection (2), an inspector may, without a hearing,

- (a) seize the hunted game carcass or product;
- (b) condemn the carcass or product and dispose of it or arrange for its condemnation and disposal; and
- (c) order the operator to pay for the condemnation and disposal.

**Voluntary condemnation**

**84.53** (1) The operator of a meat plant may voluntarily condemn a hunted game carcass or product derived from such a carcass if,

- (a) an inspector has not detained or seized the carcass or product under the Act; or
- (b) an inspector has detained or seized the carcass or product under the Act and a director approves the condemnation.

(2) A director may attach the conditions to the approval that the director considers appropriate for the condemnation.

(3) An operator of a meat plant who condemns a hunted game carcass or product under this section shall,

- (a) in the case of condemnation under clause (1) (a), dispose of it in accordance with section 91; and
- (b) in the case of condemnation under clause (1) (b), convey it immediately to the inedible materials room or area of the plant and, in the presence of an inspector, dispose of it in accordance with section 91.

(4) If the operator does not comply with clause (3) (b), an inspector may, without a hearing,

- (a) seize the hunted game carcass or product;
- (b) condemn the hunted game carcass or product and dispose of it or arrange for its condemnation and disposal; and
- (c) order the operator to pay for the condemnation and disposal.

**Return to owner**

**84.54** (1) If a regional veterinarian suspends or revokes the approval of a meat plant to receive hunted game carcasses, the operator of the plant shall ensure that,

- (a) all hunted game carcasses at the plant are immediately returned from the plant to the owners of the hunted game carcasses; and
- (b) all hunted game products at the plant are immediately returned from the plant to the owners of the hunted game carcasses from which the hunted game carcasses are derived.

(2) Subsection (1) does not apply to a hunted game carcass or a hunted game product if,

- (a) an inspector has detained or seized the carcass or product under the Act;
- (b) the operator or an inspector has condemned the carcass or product under section 84.52 or 84.53 or is required to condemn the carcass or product under section 84.52; or

(c) the carcass or product is inedible material.

(3) If the operator does not immediately return all hunted game carcasses and hunted game products at the plant in accordance with subsection (1) after the approval of the plant to receive hunted game carcasses is suspended or revoked, the operator shall,

(a) promptly condemn the carcass and any hunted game product derived from the carcass;

(b) convey the carcass and any hunted game products derived from the carcass immediately to the inedible materials room or area of the plant; and

(c) dispose of the carcass and any hunted game product derived from the carcass in accordance with section 91.

(4) If the operator does not comply with subsection (3), an inspector may order the operator to take any of the actions described in clauses (3) (a) to (c).

(5) An inspector who makes an order under subsection (4) may attach conditions to the order if they are relevant to the condemnation and disposal.

(6) If an operator does not comply with subsection (1) or (2) or with an order made under subsection (4), an inspector may, without a hearing,

(a) seize the carcass and any hunted game product derived from the carcass;

(b) condemn the carcass and any hunted game product derived from the carcass and dispose of carcass and hunted game products or arrange for their condemnation and disposal; and

(c) order the operator to pay for the condemnation and disposal.

#### Labelling

**84.55** (1) The operator of a meat plant that receives a hunted game carcass shall ensure that every hunted game product derived from the carcass is labelled "Consumer Owned, Not for Sale" in legible letters not less than 1.25 cm high before the product is shipped from the plant.

(2) If ink is used to stamp a label on a hunted game product directly under subsection (1), only ink that is fit for human consumption shall be used.

**14. Part XIV.1 (sections 138.1 to 138.5) of the Regulation is revoked.**

**15. This Regulation comes into force on May 1, 2008.**

16/08

## ONTARIO REGULATION 71/08

made under the

### HIGHWAY TRAFFIC ACT

Made: April 2, 2008

Filed: April 3, 2008

Published on e-Laws: April 4, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending Reg. 628 of R.R.O. 1990  
(Vehicle Permits)

Note: Regulation 628 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 1 of Regulation 628 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:**

"special permit" means a permit issued under section 12;

"temporary validation" means validation issued under section 5.2;

**(2) Section 1 of the Regulation is amended by adding the following subsections:**



(2) For the purposes of sections 5.2 and 12 and subsection 17 (1), a commercial motor vehicle is considered to be laden in the following circumstances:

1. It is towing another motor vehicle.
2. It is carrying any goods or cargo.
3. It is drawing a trailer that is carrying any goods or cargo.
4. It is drawing a trailer chassis that is carrying an inter-modal shipping container.
5. It is a bus carrying two or more passengers.

(3) Despite subsection (2), a commercial motor vehicle described in paragraph 1, 2, 3 or 4 of that subsection is considered to be unladen if its gross weight is 4,500 kilograms or less.

**2. Section 4 of the Regulation is amended by adding the following subsection:**

(3.1) Subsection (1) does not apply to a special permit or temporary validation of a permit.

**3. Section 5 of the Regulation is amended by adding the following subsection:**

(6) This section does not apply to a special permit or temporary validation of a permit.

**4. The Regulation is amended by adding the following section:**

**5.2 (1)** A permit for any motor vehicle may be temporarily validated for a period of 10 days.

(2) Subject to subsection (3), temporary validation may not be issued more than twice to the same holder of a permit for the same vehicle.

(3) If, after being issued one or two consecutive temporary validations of a permit for a vehicle, the permit is validated on payment of a fee prescribed under section 18 or 19, the permit may again be temporarily validated one or two consecutive times.

(4) Temporary validation shall not be issued for a motor vehicle if the permit for the motor vehicle is marked "unfit motor vehicle" or, in the case of a permit issued by another jurisdiction, the equivalent of unfit in that jurisdiction.

(5) Temporary validation shall not be issued for a motor vehicle if the permit for the motor vehicle indicates that the motor vehicle is classified as irreparable or salvage or, in the case of a permit issued by another jurisdiction, the equivalent of irreparable or salvage in that jurisdiction.

(6) Evidence of temporary validation shall be affixed to the number plate that corresponds to the temporary permit, in accordance with subsection 9 (1).

(7) Evidence of temporary validation shall not be displayed on the number plate of a commercial motor vehicle that is laden.

(8) Section 2 does not apply to the furnishing of evidence of temporary validation issued under this section.

**5. Subsection 8 (1) of the Regulation is revoked and the following substituted:**

(1) It is a condition applying to every permit, other than a CAVR cab card, IRP cab card or special permit, that it bear the signature of the holder thereof, written in ink.

**6. Subsection 8.1 (3) of the Regulation is revoked and the following substituted:**

(3) Despite anything in this Regulation, no motor vehicle permit, other than a special permit, shall be renewed or evidence of validation, other than evidence of temporary validation, shall be furnished in respect of a motor vehicle to which this section applies unless the Ministry is satisfied that an emissions inspection report or a conditional emissions inspection report has been issued in respect of the vehicle within 12 months before the permit expires or, if the application for renewal is made after the expiry of the permit, within 12 months before the application for renewal.

**7. Subsection 8.2 (2) of the Regulation is revoked and the following substituted:**

(2) Despite anything in this Regulation, no motor vehicle permit, other than a special permit, shall be renewed or evidence of validation, other than evidence of temporary validation, shall be furnished in respect of a motor vehicle described in subsection (1) unless the Ministry is satisfied that an emissions inspection report has been issued in respect of the vehicle within 12 months before the permit expires or, if the application for renewal is made after the expiry of the permit, within 12 months before the application for renewal.

**8. Sections 11 and 12 of the Regulation are revoked and the following substituted:**

**RESTRICTED PERMITS**

**12. (1)** A special permit that is valid for 10 days may be issued for the following motor vehicles:

1. A commercial motor vehicle.
2. A motor vehicle or trailer owned by a manufacturer or dealer in motor vehicles or trailers.
3. A motor vehicle or trailer bought at an auction if the Ministry has authorized the issuance of special permits at the auction.
4. A motor vehicle or trailer that is entering Ontario solely for the purpose of passing through Ontario.
5. A motor vehicle or trailer that is being taken out of Ontario.
6. A motor vehicle that is a roadworthy prototype vehicle.
- (2) A special permit shall not be issued if the applicant has not complied with subsection 11 (2) of the Act.
- (3) A person to whom a special permit is issued for a vehicle may be issued only one further special permit for the same vehicle in any 12-month period.
- (4) Subsection (3) does not apply in respect of a special permit for which the fee prescribed under subparagraph 15 iv, v, vi or vii of subsection 17 (1) is paid.
- (5) A special permit shall be affixed in a clearly visible position,
  - (a) to the windshield of the motor vehicle; or
  - (b) in the case of a special permit issued for a trailer, to the windshield of the motor vehicle drawing the trailer.
- (6) Despite subsection (5), if a special permit provides for another method for affixing or carrying the special permit, it shall be affixed or carried as stated and not as provided by subsection (5).
- (7) A special permit shall not be issued for a motor vehicle or trailer if the permit for the motor vehicle or trailer is marked "unfit motor vehicle" or "unfit" or, in the case of a permit issued by another jurisdiction, the equivalent of unfit in that jurisdiction.
- (8) A special permit shall not be issued for a motor vehicle or trailer if the permit for the motor vehicle or trailer indicates that it is classified as irreparable or salvage or, in the case of a permit issued by another jurisdiction, the equivalent of irreparable or salvage in that jurisdiction.
- (9) A special permit shall not be displayed on a laden commercial motor vehicle unless the fee paid for the special permit was the fee prescribed by subparagraph 15 v, vi or vii of subsection 17 (1).
- (10) Subsection (9) does not apply to a special permit issued for a trailer if,
  - (a) the trailer is drawn by a motor vehicle for which the vehicle permit was not issued under this section; and
  - (b) the trailer and the motor vehicle drawing it are in compliance with subsection 121 (1) of the Act.
- (11) Clauses 7 (1) (b) and (c) of the Act do not apply in respect of a motor vehicle for which a special permit is issued while the special permit is valid.
- (12) Clause 7 (4) (b) of the Act does not apply in respect of a trailer with a valid special permit.
- (13) Section 2 does not apply to the issuance of a special permit.

**9. Paragraphs 14 and 15 of subsection 17 (1) of the Regulation are revoked and the following substituted:**

14.	For a permit for a commercial motor vehicle, laden or unladen, used exclusively to replace a disabled commercial motor vehicle designated and registered as a Category "A" commercial motor vehicle pursuant to the Canadian Agreement on Vehicle Registration	10
15.	For a special permit for,	
	i. a trailer	15
	ii. a motor vehicle that is not a commercial motor vehicle	15
	iii. an unladen commercial motor vehicle for which temporary validation is not issued	15
	iv. a roadworthy prototype vehicle	15
	v. a laden commercial motor vehicle not drawing a trailer	75
	vi. a commercial motor vehicle drawing a trailer, either or both of which are laden	132

	vii. a commercial motor vehicle on whose chassis there is a machine or apparatus that is not designed or used primarily for the transportation of persons or property	132
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**10. The Regulation is amended by adding the following section under the heading "VALIDATION FEES":**

**17.1** The fee for temporary validation of a permit is \$15.

**11. This Regulation comes into force on the later of July 27, 2008 and the day this Regulation is filed.**

16/08

## ONTARIO REGULATION 72/08

made under the

### COURTS OF JUSTICE ACT

Made: April 2, 2008

Filed: April 3, 2008

Published on e-Laws: April 4, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 502/99

(Number of Judges)

Note: Ontario Regulation 502/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 2 of Ontario Regulation 502/99 is amended by striking out "20" at the end and substituting "21".**

**2. This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 72/08

pris en application de la

### LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 2 avril 2008

déposé le 3 avril 2008

publié sur le site Lois-en-ligne le 4 avril 2008

imprimé dans la *Gazette de l'Ontario* le 19 avril 2008

modifiant le Règl. de l'Ont. 502/99

(Nombre de juges)

Remarque : Le Règlement de l'Ontario 502/99 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 2 du Règlement de l'Ontario 502/99 est modifié par substitution de «21» à «20» à la fin de l'article.**

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

16/08



**ONTARIO REGULATION 73/08**

made under the

**INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2002**

Made: April 2, 2008

Filed: April 3, 2008

Published on e-Laws: April 4, 2008

Printed in *The Ontario Gazette*: April 19, 2008

Amending O. Reg. 53/03  
(Reciprocating Jurisdictions)

Note: Ontario Regulation 53/03 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The Table to paragraph 4 of section 1 of Ontario Regulation 53/03 is amended by adding the following:**

Barbados
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. . . . .

Cayman Islands
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. . . . .

Kingdom of Norway
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. . . . .

Republic of Hungary
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Republic of Ireland
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**2. This Regulation comes into force on the day it is filed.****RÈGLEMENT DE L'ONTARIO 73/08**

pris en application de la

**LOI DE 2002 SUR LES ORDONNANCES ALIMENTAIRES D'EXÉCUTION RÉCIPROQUE**

pris le 2 avril 2008

déposé le 3 avril 2008

publié sur le site Lois-en-ligne le 4 avril 2008

imprimé dans la *Gazette de l'Ontario* le 19 avril 2008

modifiant le Règl. de l'Ont. 53/03  
(Autorités pratiquant la réciprocité)

Remarque : Le Règlement de l'Ontario 53/03 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. Le tableau de la disposition 4 de l'article 1 du Règlement de l'Ontario 53/03 est modifié par adjonction de ce qui suit :**

Barbade
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. . . . .

Îles Caïmans
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. . . . .

République de Hongrie

République d'Irlande

. . . . .

Royaume de Norvège

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

16/08

**ONTARIO REGULATION 74/08**

made under the

**CORPORATIONS TAX ACT**

Made: April 3, 2008

Filed: April 3, 2008

Published on e-Laws: April 4, 2008

Printed in *The Ontario Gazette*: April 19, 2008**PROVISIONS PRESCRIBED FOR THE PURPOSES OF AN AGREEMENT UNDER  
SECTION 98.1 OF THE ACT****Administration of the Act and regulations**

1. Except as otherwise provided in section 2, every provision of the Act and the regulations made under the Act is prescribed for the purposes of subsection 98.1 (4) of the Act as a provision that may be administered and enforced by the Canada Revenue Agency after April 2, 2008 if an agreement entered into under section 98.1 of the Act is in effect at the time of the administration and enforcement of the provision.

**Exceptions**

2. (1) Sections 74, 74.2, 74.3 and 74.4 of the Act shall not be administered or enforced by the Canada Revenue Agency.
- (2) The Canada Revenue Agency shall not exercise the powers or perform the duties of the Minister under,
  - (a) clause (c) of the definition of "Ontario Jobs and Opportunity Bond" in subsection 37.1 (1) of the Act, with respect to the designation of a bond, debenture or other security as an Ontario Jobs and Opportunity Bond, and sections 3, 4 and 5 of Ontario Regulation 155/03 (Tax Incentive for Investing in Ontario Jobs and Opportunity Bonds) made under the Act;
  - (b) subsections 43.4 (5.1) and (5.2) of the Act;
  - (c) the definition of "qualifying skilled trade" in subsection 43.13 (19) of the Act;
  - (d) section 75 of the Act;
  - (e) section 77 of the Act;
  - (f) Divisions B, D and D.1 of Part V of the Act;
  - (g) subsection 94 (3) of the Act;
  - (h) subsections 98 (3) and (4) of the Act;
  - (i) subsections 98.1 (1) and (8) of the Act;
  - (j) sections 99, 100, 101, 102, 103, 104 and 105 of the Act;
  - (k) subsection 107 (2) of the Act;
  - (l) section 108 of the Act;
  - (m) section 111 of the Act;
  - (n) section 112.1 of the Act; and
  - (o) any provision of the Act that authorizes the Minister of Finance to make regulations.

(3) The Canada Revenue Agency shall not exercise the powers or perform the duties of the Director of the Corporations Tax Branch referred to in paragraph 6 of the definition of "qualifying co-operative education program" in subsection 1 (1) of Ontario Regulation 61/06 (Co-operative Education Tax Credit) made under the Act.

(4) In administering and enforcing the Act in accordance with the agreement and this Regulation, the Canada Revenue Agency shall not exercise the Minister's powers with respect to the prosecution of any person for an offence under the Act.

(5) The Canada Revenue Agency shall not, under section 109 of the Act, accept an amount in satisfaction of an amount of tax payable by a corporation under the Act that is less than the amount of tax payable under the Act by the corporation.

#### Commencement

**3. This Regulation comes into force on the earlier of April 3, 2008 and the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 3, 2008.

16/08

## ONTARIO REGULATION 75/08

made under the

### REGULATORY MODERNIZATION ACT, 2007

Made: April 2, 2008

Filed: April 4, 2008

Published on e-Laws: April 7, 2008

Printed in *The Ontario Gazette*: April 19, 2008

### DESIGNATIONS

#### Designation for purposes of s. 7 of Act — information sharing

1. (1) The legislation set out in Table 1 of Schedule A is designated under section 6 of the Act for the purposes of section 7 of the Act.

(2) The designations in subsection (1) are limited, as follows:

1. The designation of the provisions of the *Milk Act* and the provisions of regulations made under that Act listed in Table 1 of Schedule A applies only for the purpose of the collection, use and disclosure of information that was originally collected in the course of the administration and enforcement of those provisions by or on behalf of a Minister.
2. The designation of the *Tobacco Tax Act* in Table 1 of Schedule A applies only for the purposes set out in paragraphs 1 to 7 and paragraph 9 of section 5 of the Act.

(3) The repealed Acts and revoked regulations set out in Table 2 of Schedule A are designated under section 12 of the Act for the purposes of section 7 of the Act.

(4) With respect to a repealed Act or revoked regulation set out in Table 2 of Schedule A, the Minister identified in the corresponding row of Column 4 of the Table is the Minister responsible for the purposes of exercising the powers set out in subsection 7 (2) of the Act.

#### Designation for purposes of s. 10 of Act — publication

2. (1) The legislation set out in Table 1 of Schedule B is designated under section 10 of the Act for the purposes of that section.

(2) The designations in subsection (1) are limited, as follows:



1. The designation of the provisions of the *Milk Act* and the provisions of regulations made under that Act listed in Table 1 of Schedule B applies only for the purpose of the publication of information that was originally collected in the course of the administration and enforcement of those provisions by or on behalf of a Minister.
- (3) The repealed Acts and revoked regulations set out in Table 2 of Schedule B are designated under section 12 of the Act for the purposes of section 10 of the Act.
- (4) With respect to a repealed Act or revoked regulation set out in Table 2 of Schedule B, the Minister identified in the corresponding row of Column 4 of the Table is the Minister responsible for the purposes of publishing information under section 10 of the Act.

**Designation for purposes of s. 14 of Act — multiple authorizations**

3. (1) The legislation set out in Schedule C is designated under section 13 of the Act for the purposes of section 14 of the Act.
- (2) The designations in subsection (1) are limited, as follows:
  1. The designation of the provisions of the *Milk Act* and the provisions of regulations made under that Act listed in Schedule C applies only for the purpose of exercising powers and performing duties in the course of the administration and enforcement of those provisions by or on behalf of a Minister.
  2. The designation of the *Tobacco Tax Act* in Schedule C applies only for the purposes set out in paragraphs 1 to 7 and paragraph 9 of section 5 of the Act.

**Commencement**

4. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.
- (2) Section 2 and Schedule B come into force four months after the day this Regulation is filed.

**SCHEDULE A  
DESIGNATION FOR PURPOSES OF S. 7 OF ACT (INFORMATION SHARING)**

**TABLE 1  
ACTS AND REGULATIONS DESIGNATED UNDER S. 6 OF ACT**

Item	Column 1 Title of Act	Column 2 Portion of Act that is designated	Column 3 Regulations made under Act that are designated
1.	<i>Accessibility for Ontarians with Disabilities Act, 2005</i>	Whole	All
2.	<i>Aggregate Resources Act</i>	Whole	All
3.	<i>Agricultural Tile Drainage Installation Act</i>	Whole	All
4.	<i>Ambulance Act</i>	Whole	All
5.	<i>Athletics Control Act</i>	Whole	All
6.	<i>Bailiffs Act</i>	Whole	All
7.	<i>Bees Act</i>	Whole	All
8.	<i>Cemeteries Act (Revised)</i>	Whole	All
9.	<i>Child and Family Services Act</i>	Subsection 5 (5), sections 6 and 25, subsection 45 (8), section 72, subsections 74 (5), 75 (6), 75 (10), 76 (11) and 79 (2), (3) and (5), sections 82, 83 and 84, clauses 85 (1) (c), (d), (f), (h), (i) and (j), subsections 85 (2) and (3), subsections 141 (1), (2), (3) and (4), subsection 143 (2), sections 175 and 176, and Part IX (Licensing)	Part VII (Adoption), except sections 56.1 and 56.2, and Part IX (Licensing) of R.R.O. 1990, Regulation 70 (General)
10.	<i>Clean Water Act, 2006</i>	Whole	All
11.	<i>Collection Agencies Act</i>	Whole	All
12.	<i>Condominium Act, 1998</i>	Whole	All
13.	<i>Conservation Authorities Act</i>	Whole	All
14.	<i>Consumer Protection Act, 2002</i>	Whole	All
15.	<i>Consumer Reporting Act</i>	Whole	All

Item	Column 1 Title of Act	Column 2 Portion of Act that is designated	Column 3 Regulations made under Act that are designated
16.	<i>Crown Forest Sustainability Act, 1994</i>	Whole	All
17.	<i>Dangerous Goods Transportation Act</i>	Whole	All
18.	<i>Day Nurseries Act</i>	Whole	R.R.O. 1990, Regulation 262 (General)
19.	<i>Dead Animal Disposal Act</i>	Whole	All
20.	<i>Electricity Act, 1998</i>	Part VIII (Electrical Safety)	O. Reg. 164/99 (Electrical Safety Code) O. Reg. 22/04 (Electrical Distribution Safety) O. Reg. 570/05 (Licensing of Electrical Contractors and Master Electricians) O. Reg. 438/07 (Product Safety)
21.	<i>Employment Standards Act, 2000</i>	Whole	All
22.	<i>Endangered Species Act</i>	Whole	All
23.	<i>Endangered Species Act, 2007</i>	Whole	All
24.	<i>Environmental Assessment Act</i>	Whole	All
25.	<i>Environmental Bill of Rights, 1993</i>	Whole	All
26.	<i>Environmental Protection Act</i>	Whole	All
27.	<i>Farm Implements Act</i>	Whole	All
28.	<i>Farm Products Grades and Sales Act</i>	Whole	All
29.	<i>Film Classification Act, 2005</i>	Whole	All
30.	<i>Fish and Wildlife Conservation Act, 1997</i>	Whole	All
31.	<i>Fish Inspection Act</i>	Whole	All
32.	<i>Food Safety and Quality Act, 2001</i>	Whole	All
33.	<i>Forest Fires Prevention Act</i>	Whole	All
34.	<i>Funeral, Burial and Cremation Services Act, 2002</i>	Whole	All
35.	<i>Funeral Directors and Establishments Act</i>	Whole	All
36.	<i>Grains Act</i>	Whole	All
37.	<i>Healing Arts Radiation Protection Act</i>	Whole	All
38.	<i>Health Protection and Promotion Act</i>	Whole	R.R.O. 1990, Regulation 554 (Camps in Unorganized Territory) R.R.O. 1990, Regulation 562 (Food Premises) R.R.O. 1990, Regulation 565 (Public Pools) R.R.O. 1990, Regulation 568 (Recreational Camps) O. Reg. 428/05 (Public Spas)
39.	<i>Highway Traffic Act</i>	Whole	All
40.	<i>Homes for Special Care Act</i>	Whole	R.R.O. 1990, Regulation 636 (General), excluding Part VI (Admission of Residents) and Part IX (Payments by Minister)
41.	<i>Intercountry Adoption Act, 1998</i>	Sections 8 to 19 and subsections 20 (2) to (6)	O. Reg. 200/99 (General)
42.	<i>Laboratory and Specimen Collection Centre Licensing Act</i>	Whole except clauses 9 (14) (b) and (c), subsection 9 (15), clause 18 (r) and sections 19 and 20	R.R.O. 1990, Regulation 682 (Laboratories), excluding clause 9 (1) (f) and section 14 R.R.O. 1990, Regulation 683 (Specimen Collection Centres)
43.	<i>Lakes and Rivers Improvement Act</i>	Whole	All

Item	Column 1 Title of Act	Column 2 Portion of Act that is designated	Column 3 Regulations made under Act that are designated
44.	<i>Livestock and Livestock Products Act</i>	Whole	R.R.O. 1990, Regulation 724 (Eggs) R.R.O. 1990, Regulation 725 (Livestock) R.R.O. 1990, Regulation 726 (Processed Egg)
45.	<i>Livestock Community Sales Act</i>	Whole	All
46.	<i>Livestock Medicines Act</i>	Whole	All
47.	<i>Milk Act</i>	Sections 1 and 2, subsections 2.1 (1), (3), (4) and (5) and sections 4, 10, 11, 13, 14, 15, 16, 21 and 22	R.R.O. 1990, Regulation 753 (Grades, Standards, Designations, Classes, Packing and Marking) R.R.O. 1990, Regulation 761 (Milk and Milk Products)
48.	<i>Mining Act</i>	Whole	All
49.	<i>Ministry of Training, Colleges and Universities Act</i>	Whole	All
50.	<i>Motor Vehicle Dealers Act</i>	Whole	All
51.	<i>Motor Vehicle Dealers Act, 2002</i>	Whole	All
52.	<i>Niagara Escarpment Planning and Development Act</i>	Whole	All
53.	<i>Nutrient Management Act, 2002</i>	Whole	All
54.	<i>Occupational Health and Safety Act</i>	Whole except sections 34, 39 and 40	All except section 3 and sections 19 to 23 of R.R.O. 1990, Regulation 860 (Workplace Hazardous Materials Information System (WHMIS))
55.	<i>Oil, Gas and Salt Resources Act</i>	Whole	All
56.	<i>Ontario Highway Transport Board Act</i>	Whole	All
57.	<i>Ontario New Home Warranties Plan Act</i>	Whole	All
58.	<i>Ontario Society for the Prevention of Cruelty to Animals Act</i>	Whole	All
59.	<i>Ontario Water Resources Act</i>	Whole	All
60.	<i>Pay Equity Act</i>	Whole	All
61.	<i>Pesticides Act</i>	Whole	All
62.	<i>Plant Diseases Act</i>	Whole	All
63.	<i>Post-secondary Education Choice and Excellence Act, 2000</i>	Whole	All
64.	<i>Private Career Colleges Act, 2005</i>	Whole	All
65.	<i>Private Security and Investigative Services Act, 2005</i>	Whole	All
66.	<i>Provincial Parks and Conservation Reserves Act, 2006</i>	Whole	All
67.	<i>Public Lands Act</i>	Whole	All
68.	<i>Public Vehicles Act</i>	Whole	All
69.	<i>Racing Commission Act, 2000</i>	Whole	All
70.	<i>Real Estate and Business Brokers Act, 2002</i>	Whole	All
71.	<i>Residential Tenancies Act, 2006</i>	Part XVI (Offences)	None
72.	<i>Safe Drinking Water Act, 2002</i>	Whole	All
73.	<i>Shortline Railways Act, 1995</i>	Whole	All
74.	<i>Smoke-Free Ontario Act</i>	Whole	All
75.	<i>Sustainable Water and Sewage Systems Act, 2002</i>	Whole	All
76.	<i>Technical Standards and Safety Act, 2000</i>	Whole	All
77.	<i>Tobacco Tax Act</i>	Whole except section 17	None
78.	<i>Travel Industry Act, 2002</i>	Whole	All



Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
79.	<i>Vintners Quality Alliance Act, 1999</i>	Whole	O. Reg. 405/00 (General) O. Reg. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
80.	<i>Waste Diversion Act, 2002</i>	Whole	All

TABLE 2  
REPEALED ACTS AND REVOKED REGULATIONS DESIGNATED UNDER S. 12 OF ACT

Item	Column 1	Column 2	Column 3	Column 4
	Title of repealed Act	Portion of repealed Act that is designated	Revoked regulations made under the repealed Act that are designated	Responsible Minister
1.	<i>Consumer Protection Act</i>	Whole	R.R.O. 1990, Regulation 176 (General) O. Reg. 175/01 (Direct Sales Contracts)	Minister of Government and Consumer Services
2.	<i>Meat Inspection Act (Ontario)</i>	Whole	O. Reg. 632/92 (General)	Minister of Agriculture, Food and Rural Affairs
3.	<i>Private Career Colleges Act</i>	Whole	R.R.O. 1990, Regulation 939 (General)	Minister of Training, Colleges and Universities
4.	<i>Private Investigators and Security Guards Act</i>	Whole	None	Minister of Community Safety and Correctional Services
5.	<i>Real Estate and Business Brokers Act</i>	Whole	R.R.O. 1990, Regulation 986 (General)	Minister of Government and Consumer Services
6.	<i>Tenant Protection Act, 1997</i>	Section 206	None	Minister of Municipal Affairs and Housing
7.	<i>Theatres Act</i>	Whole	R.R.O. 1990, Regulation 1031 (General) O. Reg. 248/95 (Adult Sex Film Stickers)	Minister of Government and Consumer Services
8.	<i>Travel Industry Act</i>	Whole	O. Reg. 806/93 (General)	Minister of Government and Consumer Services

SCHEDULE B  
DESIGNATION FOR PURPOSES OF S. 10 OF ACT (PUBLICATION)

TABLE 1  
ACTS AND REGULATIONS DESIGNATED UNDER S. 10 OF ACT

Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
1.	<i>Accessibility for Ontarians with Disabilities Act, 2005</i>	Whole	All
2.	<i>Aggregate Resources Act</i>	Whole	All
3.	<i>Agricultural Tile Drainage Installation Act</i>	Whole	All

Item	Column 1 Title of Act	Column 2 Portion of Act that is designated	Column 3 Regulations made under Act that are designated
4.	<i>Ambulance Act</i>	Whole	All
5.	<i>Athletics Control Act</i>	Whole	All
6.	<i>Bailiffs Act</i>	Whole	All
7.	<i>Bees Act</i>	Whole	All
8.	<i>Cemeteries Act (Revised)</i>	Whole	All
9.	<i>Child and Family Services Act</i>	Subsection 5 (5), sections 6 and 25, subsection 45 (8), section 72, subsections 74 (5), 75 (6), 75 (10), 76 (11) and 79 (2), (3) and (5), sections 82, 83 and 84, clauses 85 (1) (c), (d), (f), (h), (i) and (j), subsections 85 (2) and (3), subsections 141 (1), (2), (3) and (4), subsection 143 (2), sections 175 and 176, and Part IX (Licensing)	Part VII (Adoption), except sections 56.1 and 56.2, and Part IX (Licensing) of R.R.O. 1990, Regulation 70 (General)
10.	<i>Clean Water Act, 2006</i>	Whole	All
11.	<i>Collection Agencies Act</i>	Whole	All
12.	<i>Condominium Act, 1998</i>	Whole	All
13.	<i>Conservation Authorities Act</i>	Whole	All
14.	<i>Consumer Protection Act, 2002</i>	Whole	All
15.	<i>Consumer Reporting Act</i>	Whole	All
16.	<i>Crown Forest Sustainability Act, 1994</i>	Whole	All
17.	<i>Dangerous Goods Transportation Act</i>	Whole	All
18.	<i>Day Nurseries Act</i>	Whole	R.R.O. 1990, Regulation 262 (General)
19.	<i>Dead Animal Disposal Act</i>	Whole	All
20.	<i>Electricity Act, 1998</i>	Part VIII (Electrical Safety)	O. Reg. 164/99 (Electrical Safety Code) O. Reg. 22/04 (Electrical Distribution Safety) O. Reg. 570/05 (Licensing of Electrical Contractors and Master Electricians) O. Reg. 438/07 (Product Safety)
21.	<i>Employment Standards Act, 2000</i>	Whole	All
22.	<i>Endangered Species Act</i>	Whole	All
23.	<i>Endangered Species Act, 2007</i>	Whole	All
24.	<i>Environmental Assessment Act</i>	Whole	All
25.	<i>Environmental Bill of Rights, 1993</i>	Whole	All
26.	<i>Environmental Protection Act</i>	Whole	All
27.	<i>Farm Implements Act</i>	Whole	All
28.	<i>Farm Products Grades and Sales Act</i>	Whole	All
29.	<i>Film Classification Act, 2005</i>	Whole	All
30.	<i>Fish and Wildlife Conservation Act, 1997</i>	Whole	All
31.	<i>Fish Inspection Act</i>	Whole	All
32.	<i>Food Safety and Quality Act, 2001</i>	Whole	All
33.	<i>Forest Fires Prevention Act</i>	Whole	All
34.	<i>Funeral, Burial and Cremation Services Act, 2002</i>	Whole	All
35.	<i>Funeral Directors and Establishments Act</i>	Whole	All
36.	<i>Grains Act</i>	Whole	All

Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
37.	<i>Health Protection and Promotion Act</i>	Whole	R.R.O. 1990, Regulation 554 (Camps in Unorganized Territory) R.R.O. 1990, Regulation 562 (Food Premises) R.R.O. 1990, Regulation 565 (Public Pools) R.R.O. 1990, Regulation 568 (Recreational Camps) O. Reg. 428/05 (Public Spas)
38.	<i>Highway Traffic Act</i>	Whole	All
39.	<i>Homes for Special Care Act</i>	Whole	R.R.O. 1990, Regulation 636 (General), excluding Part VI (Admission of Residents) and Part IX (Payments by Minister)
40.	<i>Intercountry Adoption Act, 1998</i>	Sections 8 to 19 and subsections 20 (2) to (6)	O. Reg. 200/99 (General)
41.	<i>Laboratory and Specimen Collection Centre Licensing Act</i>	Whole except clauses 9 (14) (b) and (c), subsection 9 (15), clause 18 (r) and sections 19 and 20	R.R.O. 1990, Regulation 682 (Laboratories), excluding clause 9 (1) (f) and section 14 R.R.O. 1990, Regulation 683 (Specimen Collection Centres)
42.	<i>Lakes and Rivers Improvement Act</i>	Whole	All
43.	<i>Livestock and Livestock Products Act</i>	Whole	R.R.O. 1990, Regulation 724 (Eggs) R.R.O. 1990, Regulation 725 (Livestock) R.R.O. 1990, Regulation 726 (Processed Egg)
44.	<i>Livestock Community Sales Act</i>	Whole	All
45.	<i>Livestock Medicines Act</i>	Whole	All
46.	<i>Milk Act</i>	Sections 1 and 2, subsections 2.1 (1), (3), (4) and (5) and sections 4, 10, 11, 13, 14, 15, 16, 21 and 22	R.R.O. 1990, Regulation 753 (Grades, Standards, Designations, Classes, Packing and Marking) R.R.O. 1990, Regulation 761 (Milk and Milk Products)
47.	<i>Mining Act</i>	Whole	All
48.	<i>Ministry of Training, Colleges and Universities Act</i>	Whole	All
49.	<i>Motor Vehicle Dealers Act</i>	Whole	All
50.	<i>Motor Vehicle Dealers Act, 2002</i>	Whole	All
51.	<i>Niagara Escarpment Planning and Development Act</i>	Whole	All
52.	<i>Nutrient Management Act, 2002</i>	Whole	All
53.	<i>Occupational Health and Safety Act</i>	Whole except sections 34, 39 and 40	All except section 3 and sections 19 to 23 of R.R.O. 1990, Regulation 860 (Workplace Hazardous Materials Information System (WHMIS))
54.	<i>Oil, Gas and Salt Resources Act</i>	Whole	All
55.	<i>Ontario Highway Transport Board Act</i>	Whole	All
56.	<i>Ontario New Home Warranties Plan Act</i>	Whole	All
57.	<i>Ontario Water Resources Act</i>	Whole	All
58.	<i>Pay Equity Act</i>	Whole	All
59.	<i>Pesticides Act</i>	Whole	All
60.	<i>Plant Diseases Act</i>	Whole	All
61.	<i>Post-secondary Education Choice and Excellence Act, 2000</i>	Whole	All
62.	<i>Private Career Colleges Act, 2005</i>	Whole	All



Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
63.	<i>Private Security and Investigative Services Act, 2005</i>	Whole	All
64.	<i>Provincial Parks and Conservation Reserves Act, 2006</i>	Whole	All
65.	<i>Public Lands Act</i>	Whole	All
66.	<i>Public Vehicles Act</i>	Whole	All
67.	<i>Racing Commission Act, 2000</i>	Whole	All
68.	<i>Real Estate and Business Brokers Act, 2002</i>	Whole	All
69.	<i>Residential Tenancies Act, 2006</i>	Part XVI (Offences)	None
70.	<i>Safe Drinking Water Act, 2002</i>	Whole	All
71.	<i>Shortline Railways Act, 1995</i>	Whole	All
72.	<i>Smoke-Free Ontario Act</i>	Whole	All
73.	<i>Sustainable Water and Sewage Systems Act, 2002</i>	Whole	All
74.	<i>Technical Standards and Safety Act, 2000</i>	Whole	All
75.	<i>Travel Industry Act, 2002</i>	Whole	All
76.	<i>Vintners Quality Alliance Act, 1999</i>	Whole	O. Reg. 405/00 (General) O. Reg. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
77.	<i>Waste Diversion Act, 2002</i>	Whole	All

TABLE 2  
REPEALED ACTS AND REVOKED REGULATIONS DESIGNATED UNDER S. 12 OF ACT

Item	Column 1	Column 2	Column 3	Column 4
	Title of repealed Act	Portion of repealed Act that is designated	Revoked regulations made under the repealed Act that are designated	Responsible Minister
1.	<i>Consumer Protection Act</i>	Whole	R.R.O. 1990, Regulation 176 (General) O. Reg. 175/01 (Direct Sales Contracts)	Minister of Government and Consumer Services
2.	<i>Meat Inspection Act (Ontario)</i>	Whole	O. Reg. 632/92 (General)	Minister of Agriculture, Food and Rural Affairs
3.	<i>Private Career Colleges Act</i>	Whole	R.R.O. 1990, Regulation 939 (General)	Minister of Training, Colleges and Universities
4.	<i>Private Investigators and Security Guards Act</i>	Whole	None	Minister of Community Safety and Correctional Services
5.	<i>Real Estate and Business Brokers Act</i>	Whole	R.R.O. 1990, Regulation 986 (General)	Minister of Government and Consumer Services
6.	<i>Tenant Protection Act, 1997</i>	Section 206	None	Minister of Municipal Affairs and Housing
7.	<i>Theatres Act</i>	Whole	R.R.O. 1990, Regulation 1031 (General) O. Reg. 248/95 (Adult Sex Film Stickers)	Minister of Government and Consumer Services

Item	Column 1	Column 2	Column 3	Column 4
	Title of repealed Act	Portion of repealed Act that is designated	Revoked regulations made under the repealed Act that are designated	Responsible Minister
8.	<i>Travel Industry Act</i>	Whole	O. Reg. 806/93 (General)	Minister of Government and Consumer Services

SCHEDULE C  
DESIGNATION FOR PURPOSES OF S. 14 OF ACT (MULTIPLE AUTHORIZATIONS)

Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
1.	<i>Accessibility for Ontarians with Disabilities Act, 2005</i>	Whole	All
2.	<i>Aggregate Resources Act</i>	Whole	All
3.	<i>Agricultural Tile Drainage Installation Act</i>	Whole	All
4.	<i>Ambulance Act</i>	Whole	All
5.	<i>Athletics Control Act</i>	Whole	All
6.	<i>Bailiffs Act</i>	Whole	All
7.	<i>Bees Act</i>	Whole	All
8.	<i>Cemeteries Act (Revised)</i>	Whole	All
9.	<i>Clean Water Act, 2006</i>	Whole	All
10.	<i>Collection Agencies Act</i>	Whole	All
11.	<i>Condominium Act, 1998</i>	Whole	All
12.	<i>Conservation Authorities Act</i>	Whole	All
13.	<i>Consumer Protection Act, 2002</i>	Whole	All
14.	<i>Consumer Reporting Act</i>	Whole	All
15.	<i>Crown Forest Sustainability Act, 1994</i>	Whole	All
16.	<i>Dangerous Goods Transportation Act</i>	Whole	All
17.	<i>Dead Animal Disposal Act</i>	Whole	All
18.	<i>Drug Interchangeability and Dispensing Fee Act</i>	Sections 12.1 and 12.2	Section 2 and Schedule 1 of R.R.O. 1990, Regulation 935 (General)
19.	<i>Electricity Act, 1998</i>	Part VIII (Electrical Safety)	O. Reg. 164/99 (Electrical Safety Code) O. Reg. 22/04 (Electrical Distribution Safety) O. Reg. 570/05 (Licensing of Electrical Contractors and Master Electricians) O. Reg. 438/07 (Product Safety)
20.	<i>Employment Standards Act, 2000</i>	Whole	All
21.	<i>Endangered Species Act</i>	Whole	All
22.	<i>Endangered Species Act, 2007</i>	Whole	All
23.	<i>Environmental Assessment Act</i>	Whole	All
24.	<i>Environmental Protection Act</i>	Whole	All
25.	<i>Farm Implements Act</i>	Whole	All
26.	<i>Farm Products Grades and Sales Act</i>	Whole	R.R.O. 1990, Regulation 378 (Grades — Fruits and Vegetables) R.R.O. 1990, Regulation 384 (Honey) R.R.O. 1990, Regulation 386 (Maple Products)
27.	<i>Film Classification Act, 2005</i>	Whole	All
28.	<i>Fish and Wildlife Conservation Act, 1997</i>	Whole	All
29.	<i>Fish Inspection Act</i>	Whole	All

Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
30.	<i>Food Safety and Quality Act, 2001</i>	Whole	O. Reg. 222/05 (General) O. Reg. 31/05 (Meat)
31.	<i>Forest Fires Prevention Act</i>	Whole	All
32.	<i>Funeral, Burial and Cremation Services Act, 2002</i>	Whole	All
33.	<i>Funeral Directors and Establishments Act</i>	Whole	All
34.	<i>Grains Act</i>	Whole	All
35.	<i>Healing Arts Radiation Protection Act</i>	Whole	All
36.	<i>Health Protection and Promotion Act</i>	Whole	R.R.O. 1990, Regulation 554 (Camps in Unorganized Territory) R.R.O. 1990, Regulation 562 (Food Premises) R.R.O. 1990, Regulation 565 (Public Pools) R.R.O. 1990, Regulation 568 (Recreational Camps) O. Reg. 428/05 (Public Spas)
37.	<i>Highway Traffic Act</i>	Whole	All
38.	<i>Homes for Special Care Act</i>	Whole	R.R.O. 1990, Regulation 636 (General), excluding Part VI (Admission of Residents) and Part IX (Payments by Minister)
39.	<i>Laboratory and Specimen Collection Centre Licensing Act</i>	Whole except clauses 9 (14) (b) and (c), subsection 9 (15), clause 18 (r) and sections 19 and 20	R.R.O. 1990, Regulation 682 (Laboratories), excluding clause 9 (1) (f) and section 14  R.R.O. 1990, Regulation 683 (Specimen Collection Centres)
40.	<i>Lakes and Rivers Improvement Act</i>	Whole	All
41.	<i>Livestock and Livestock Products Act</i>	Whole	R.R.O. 1990, Regulation 724 (Eggs) R.R.O. 1990, Regulation 725 (Livestock) R.R.O. 1990, Regulation 726 (Processed Egg)
42.	<i>Livestock Community Sales Act</i>	Whole	All
43.	<i>Livestock Medicines Act</i>	Whole	All
44.	<i>Milk Act</i>	Sections 1 and 2, subsections 2.1 (1), (3), (4) and (5) and sections 4, 10, 11, 13, 14, 15, 16, 21 and 22	R.R.O. 1990, Regulation 753 (Grades, Standards, Designations, Classes, Packing and Marking) R.R.O. 1990, Regulation 761 (Milk and Milk Products)
45.	<i>Mining Act</i>	Whole	R.R.O. 1990, Regulation 768 (Surveys of Mining Claims) O. Reg. 6/96 (Assessment Work) O. Reg. 7/96 (Claim Staking) O. Reg. 356/98 (Staking in Designated Areas) O. Reg. 240/00 (Mine Development and Closure under Part VII of the Act) O. Reg. 263/02 (Exploration Licences, Production and Storage Leases for Oil and Gas in Ontario) O. Reg. 192/06 (Permission to Test Mineral Content) O. Reg. 323/07 (Royalty on Diamonds)



Item	Column 1	Column 2	Column 3
	Title of Act	Portion of Act that is designated	Regulations made under Act that are designated
46.	<i>Ministry of Training, Colleges and Universities Act</i>	Whole	All
47.	<i>Motor Vehicle Dealers Act</i>	Whole	All
48.	<i>Motor Vehicle Dealers Act, 2002</i>	Whole	All
49.	<i>Niagara Escarpment Planning and Development Act</i>	Whole	All
50.	<i>Nutrient Management Act, 2002</i>	Whole	All
51.	<i>Occupational Health and Safety Act</i>	Whole	All
52.	<i>Oil, Gas and Salt Resources Act</i>	Whole	All
53.	<i>Ontario Drug Benefit Act</i>	Whole	All
54.	<i>Ontario Highway Transport Board Act</i>	Whole	All
55.	<i>Ontario New Home Warranties Plan Act</i>	Whole	All
56.	<i>Ontario Water Resources Act</i>	Whole	All
57.	<i>Pay Equity Act</i>	Whole	All
58.	<i>Pesticides Act</i>	Whole	All
59.	<i>Plant Diseases Act</i>	Whole	All
60.	<i>Post-secondary Education Choice and Excellence Act, 2000</i>	Whole	All
61.	<i>Private Career Colleges Act, 2005</i>	Whole	All
62.	<i>Provincial Parks and Conservation Reserves Act, 2006</i>	Whole	All
63.	<i>Public Lands Act</i>	Whole	All
64.	<i>Public Vehicles Act</i>	Whole	All
65.	<i>Racing Commission Act, 2000</i>	Whole	All
66.	<i>Real Estate and Business Brokers Act, 2002</i>	Whole	All
67.	<i>Residential Tenancies Act, 2006</i>	Part XIV (Maintenance Standards), Part XV (Administration and Enforcement) and Part XVI (Offences)	None
68.	<i>Safe Drinking Water Act, 2002</i>	Whole	All
69.	<i>Shortline Railways Act, 1995</i>	Whole	All
70.	<i>Smoke-Free Ontario Act</i>	Whole	All
71.	<i>Sustainable Water and Sewage Systems Act, 2002</i>	Whole	All
72.	<i>Technical Standards and Safety Act, 2000</i>	Whole	All
73.	<i>Tobacco Tax Act</i>	Whole except section 17	None
74.	<i>Travel Industry Act, 2002</i>	Whole	All
75.	<i>Vintners Quality Alliance Act, 1999</i>	Whole	O. Reg. 405/00 (General) O. Reg. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
76.	<i>Waste Diversion Act, 2002</i>	Whole	All

**RÈGLEMENT DE L'ONTARIO 75/08**

pris en application de la

**LOI DE 2007 SUR LA MODERNISATION DE LA RÉGLEMENTATION**

pris le 2 avril 2008

déposé le 4 avril 2008

publié sur le site Lois-en-ligne le 7 avril 2008

imprimé dans la *Gazette de l'Ontario* le 19 avril 2008**DÉSIGNATIONS****Désignation pour l'application de l'article 7 de la Loi : échange de renseignements**

1. (1) Les textes législatifs indiqués au tableau 1 de l'annexe A sont désignés en vertu de l'article 6 de la Loi pour l'application de l'article 7 de celle-ci.

(2) Les désignations faites au paragraphe (1) sont limitées comme suit :

1. La désignation des dispositions de la *Loi sur le lait* et des dispositions des règlements pris en application de cette loi qui sont indiquées au tableau 1 de l'annexe A ne s'applique qu'aux fins de la collecte, de l'utilisation et de la divulgation des renseignements recueillis à l'origine dans le cadre de l'application et de l'exécution de ces dispositions par un ministre ou en son nom.
2. La désignation de la *Loi de la taxe sur le tabac* au tableau 1 de l'annexe A ne s'applique qu'aux fins énoncées aux dispositions 1 à 7 et à la disposition 9 de l'article 5 de la Loi.

(3) Les textes législatifs abrogés qui sont indiqués au tableau 2 de l'annexe A sont désignés en vertu de l'article 12 de la Loi pour l'application de l'article 7 de celle-ci.

(4) Le ministre chargé de l'application aux fins de l'exercice du pouvoir énoncé au paragraphe 7 (2) de la Loi, à l'égard d'un texte législatif abrogé qui est indiqué au tableau 2 de l'annexe A, est le ministre précisé à la rangée correspondante de la colonne 4 du tableau.

**Désignation pour l'application de l'article 10 de la Loi : publication**

2. (1) Les textes législatifs indiqués au tableau 1 de l'annexe B sont désignés en vertu de l'article 10 de la Loi pour l'application de cet article.

(2) Les désignations faites au paragraphe (1) sont limitées comme suit :

1. La désignation des dispositions de la *Loi sur le lait* et des dispositions des règlements pris en application de cette loi qui sont indiquées au tableau 1 de l'annexe B ne s'applique qu'aux fins de la publication des renseignements recueillis à l'origine dans le cadre de l'application et de l'exécution de ces dispositions par un ministre ou en son nom.

(3) Les textes législatifs abrogés qui sont indiqués au tableau 2 de l'annexe B sont désignés en vertu de l'article 12 de la Loi pour l'application de l'article 10 de celle-ci.

(4) Le ministre chargé de l'application aux fins de la publication de renseignements prévue à l'article 10 de la Loi, à l'égard d'un texte législatif abrogé qui est indiqué au tableau 2 de l'annexe B, est le ministre précisé à la rangée correspondante de la colonne 4 du tableau.

**Désignation pour l'application de l'article 14 de la Loi : autorisations multiples**

3. (1) Les textes législatifs indiqués à l'annexe C sont désignés en vertu de l'article 13 de la Loi pour l'application de l'article 14 de celle-ci.

(2) Les désignations faites au paragraphe (1) sont limitées comme suit :

1. La désignation des dispositions de la *Loi sur le lait* et des dispositions des règlements pris en application de cette loi qui sont indiquées à l'annexe C ne s'applique qu'aux fins de l'exercice de pouvoirs et de fonctions dans le cadre de l'application et de l'exécution de ces dispositions par un ministre ou en son nom.
2. La désignation de la *Loi de la taxe sur le tabac* à l'annexe C ne s'applique qu'aux fins énoncées aux dispositions 1 à 7 et à la disposition 9 de l'article 5 de la Loi.

**Entrée en vigueur**

4. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) L'article 2 et l'annexe B entrent en vigueur quatre mois après le jour du dépôt du présent règlement.

ANNEXE A  
DÉSIGNATION POUR L'APPLICATION DE L'ARTICLE 7 DE LA LOI (ÉCHANGE DE RENSEIGNEMENTS)

TABLEAU 1  
TEXTES LÉGISLATIFS DÉSIGNÉS EN VERTU DE L'ARTICLE 6 DE LA LOI

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
1.	<i>Loi de 2005 sur l'accessibilité pour les personnes handicapées de l'Ontario</i>	La loi entière	Tous
2.	<i>Loi sur les ressources en agrégats</i>	La loi entière	Tous
3.	<i>Loi sur les installations de drainage agricole</i>	La loi entière	Tous
4.	<i>Loi sur les ambulances</i>	La loi entière	Tous
5.	<i>Loi sur le contrôle des sports</i>	La loi entière	Tous
6.	<i>Loi sur les huissiers</i>	La loi entière	Tous
7.	<i>Loi sur l'apiculture</i>	La loi entière	Tous
8.	<i>Loi sur les cimetières (révisée)</i>	La loi entière	Tous
9.	<i>Loi sur les services à l'enfance et à la famille</i>	Le paragraphe 5 (5), les articles 6 et 25, le paragraphe 45 (8), l'article 72, les paragraphes 74 (5), 75 (6), 75 (10), 76 (11) et 79 (2), (3) et (5), les articles 82, 83 et 84, les alinéas 85 (1) c), d), f), h), i) et j), les paragraphes 85 (2) et (3), les paragraphes 141 (1), (2), (3) et (4), le paragraphe 143 (2), les articles 175 et 176 et la partie IX (Permis)	La partie VII (Adoption), sauf les articles 56.1 et 56.2, et la partie IX (Licensing) du Règlement 70 des R.R.O. de 1990 (General)
10.	<i>Loi de 2006 sur l'eau saine</i>	La loi entière	Tous
11.	<i>Loi sur les agences de recouvrement</i>	La loi entière	Tous
12.	<i>Loi de 1998 sur les condominiums</i>	La loi entière	Tous
13.	<i>Loi sur les offices de protection de la nature</i>	La loi entière	Tous
14.	<i>Loi de 2002 sur la protection du consommateur</i>	La loi entière	Tous
15.	<i>Loi sur les renseignements concernant le consommateur</i>	La loi entière	Tous
16.	<i>Loi de 1994 sur la durabilité des forêts de la Couronne</i>	La loi entière	Tous
17.	<i>Loi sur le transport de matières dangereuses</i>	La loi entière	Tous
18.	<i>Loi sur les garderies</i>	La loi entière	Le Règlement 262 des R.R.O. de 1990 (Dispositions générales)
19.	<i>Loi sur les cadavres d'animaux</i>	La loi entière	Tous
20.	<i>Loi de 1998 sur l'électricité</i>	La partie VIII (Sécurité des installations électriques)	Le Règl. de l'Ont. 164/99 (Electrical Safety Code)  Le Règl. de l'Ont. 22/04 (Electrical Distribution Safety)  Le Règl. de l'Ont. 570/05 (Licensing of Electrical Contractors and Master Electricians)  Le Règl. de l'Ont. 438/07 (Product Safety)
21.	<i>Loi de 2000 sur les normes d'emploi</i>	La loi entière	Tous
22.	<i>Loi sur les espèces en voie de disparition</i>	La loi entière	Tous



Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
23.	<i>Loi de 2007 sur les espèces en voie de disparition</i>	La loi entière	Tous
24.	<i>Loi sur les évaluations environnementales</i>	La loi entière	Tous
25.	<i>Charte des droits environnementaux de 1993</i>	La loi entière	Tous
26.	<i>Loi sur la protection de l'environnement</i>	La loi entière	Tous
27.	<i>Loi sur les appareils agricoles</i>	La loi entière	Tous
28.	<i>Loi sur le classement et la vente des produits agricoles</i>	La loi entière	Tous
29.	<i>Loi de 2005 sur le classement des films</i>	La loi entière	Tous
30.	<i>Loi de 1997 sur la protection du poisson et de la faune</i>	La loi entière	Tous
31.	<i>Loi sur l'inspection du poisson</i>	La loi entière	Tous
32.	<i>Loi de 2001 sur la qualité et la salubrité des aliments</i>	La loi entière	Tous
33.	<i>Loi sur la prévention des incendies de forêt</i>	La loi entière	Tous
34.	<i>Loi de 2002 sur les services funéraires et les services d'enterrement et de crémation</i>	La loi entière	Tous
35.	<i>Loi sur les directeurs de services funéraires et les établissements funéraires</i>	La loi entière	Tous
36.	<i>Loi sur le grain</i>	La loi entière	Tous
37.	<i>Loi sur la protection contre les rayons X</i>	La loi entière	Tous
38.	<i>Loi sur la protection et la promotion de la santé</i>	La loi entière	Le Règlement 554 des R.R.O. de 1990 (Camps dans des territoires non érigés en municipalités)  Le Règlement 562 des R.R.O. de 1990 (Food Premises)  Le Règlement 565 des R.R.O. de 1990 (Piscines publiques)  Le Règlement 568 des R.R.O. de 1990 (Camps de loisirs)  Le Règl. de l'Ont. 428/05 (Public Spas)
39.	<i>Code de la route</i>	La loi entière	Tous
40.	<i>Loi sur les foyers de soins spéciaux</i>	La loi entière	Le Règlement 636 des R.R.O. de 1990 (General), sauf la partie VI (Admission of Residents) et la partie IX (Payments by Minister)
41.	<i>Loi de 1998 sur l'adoption internationale</i>	Les articles 8 à 19 et les paragraphes 20 (2) à (6)	Le Règl. de l'Ont. 200/99 (General)
42.	<i>Loi autorisant des laboratoires médicaux et des centres de prélèvement</i>	La loi entière, sauf les alinéas 9 (14) b) et c), le paragraphe 9 (15), l'alinéa 18 r) et les articles 19 et 20	Le Règlement 682 des R.R.O. de 1990 (Laboratoires), sauf l'alinéa 9 (1) f) et l'article 14  Le Règlement 683 des R.R.O. de 1990 (Centres de prélèvement)
43.	<i>Loi sur l'aménagement des lacs et des rivières</i>	La loi entière	Tous

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
44.	<i>Loi sur le bétail et les produits du bétail</i>	La loi entière	Le Règlement 724 des R.R.O. de 1990 (Oeufs)  Le Règlement 725 des R.R.O. de 1990 (Bétail)  Le Règlement 726 des R.R.O. de 1990 (Oeufs transformés)
45.	<i>Loi sur la vente à l'encan du bétail</i>	La loi entière	Tous
46.	<i>Loi sur les médicaments pour le bétail</i>	La loi entière	Tous
47.	<i>Loi sur le lait</i>	Les articles 1 et 2, les paragraphes 2.1 (1), (3), (4) et (5) et les articles 4, 10, 11, 13, 14, 15, 16, 21 et 22	Le Règlement 753 des R.R.O. de 1990 (Grades, Standards, Designations, Classes, Packing and Marking)  Le Règlement 761 des R.R.O. de 1990 (Milk and Milk Products)
48.	<i>Loi sur les mines</i>	La loi entière	Tous
49.	<i>Loi sur le ministère de la Formation et des Collèges et Universités</i>	La loi entière	Tous
50.	<i>Loi sur les commerçants de véhicules automobiles</i>	La loi entière	Tous
51.	<i>Loi de 2002 sur le commerce des véhicules automobiles</i>	La loi entière	Tous
52.	<i>Loi sur la planification et l'aménagement de l'escarpement du Niagara</i>	La loi entière	Tous
53.	<i>Loi de 2002 sur la gestion des éléments nutritifs</i>	La loi entière	Tous
54.	<i>Loi sur la santé et la sécurité au travail</i>	La loi entière, sauf les articles 34, 39 et 40	Tous, sauf l'article 3 et les articles 19 à 23 du Règlement 860 des R.R.O. de 1990 (Système d'information sur les matériaux dangereux utilisés au travail (SIMDUT))
55.	<i>Loi sur les ressources en pétrole, en gaz et en sel</i>	La loi entière	Tous
56.	<i>Loi sur la Commission des transports routiers de l'Ontario</i>	La loi entière	Tous
57.	<i>Loi sur le Régime de garanties des logements neufs de l'Ontario</i>	La loi entière	Tous
58.	<i>Loi sur la Société de protection des animaux de l'Ontario</i>	La loi entière	Tous
59.	<i>Loi sur les ressources en eau de l'Ontario</i>	La loi entière	Tous
60.	<i>Loi sur l'équité salariale</i>	La loi entière	Tous
61.	<i>Loi sur les pesticides</i>	La loi entière	Tous
62.	<i>Loi sur les maladies des plantes</i>	La loi entière	Tous
63.	<i>Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire</i>	La loi entière	Tous
64.	<i>Loi de 2005 sur les collèges privés d'enseignement professionnel</i>	La loi entière	Tous
65.	<i>Loi de 2005 sur les services privés de sécurité et d'enquête</i>	La loi entière	Tous
66.	<i>Loi de 2006 sur les parcs provinciaux et les réserves de conservation</i>	La loi entière	Tous
67.	<i>Loi sur les terres publiques</i>	La loi entière	Tous
68.	<i>Loi sur les véhicules de transport en commun</i>	La loi entière	Tous
69.	<i>Loi de 2000 sur la Commission des courses de chevaux</i>	La loi entière	Tous

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
70.	<i>Loi de 2002 sur le courtage commercial et immobilier</i>	La loi entière	Tous
71.	<i>Loi de 2006 sur la location à usage d'habitation</i>	La partie XVI (Infractions)	Aucun
72.	<i>Loi de 2002 sur la salubrité de l'eau potable</i>	La loi entière	Tous
73.	<i>Loi de 1995 sur les chemins de fer d'intérêt local</i>	La loi entière	Tous
74.	<i>Loi favorisant un Ontario sans fumée</i>	La loi entière	Tous
75.	<i>Loi de 2002 sur la durabilité des réseaux d'eau et d'égouts</i>	La loi entière	Tous
76.	<i>Loi de 2000 sur les normes techniques et la sécurité</i>	La loi entière	Tous
77.	<i>Loi de la taxe sur le tabac</i>	La loi entière, sauf l'article 17	Aucun
78.	<i>Loi de 2002 sur le secteur du voyage</i>	La loi entière	Tous
79.	<i>Loi de 1999 sur la société appelée Vintners Quality Alliance</i>	La loi entière	Le Règl. de l'Ont. 405/00 (General)  Le Règl. de l'Ont. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
80.	<i>Loi de 2002 sur le réacheminement des déchets</i>	La loi entière	Tous

TABLEAU 2  
TEXTES LÉGISLATIFS ABROGÉS DÉSIGNÉS EN VERTU DE L'ARTICLE 12 DE LA LOI

Numéro	Colonne 1	Colonne 2	Colonne 3	Colonne 4
	Titre de la loi abrogée	Partie de la loi abrogée qui est désignée	Règlements abrogés pris en application de la loi abrogée qui sont désignés	Ministre chargé de l'application
1.	<i>Loi sur la protection du consommateur</i>	La loi entière	Le Règlement 176 des R.R.O. de 1990 (Dispositions générales)  Le Règl. de l'Ont. 175/01 (Direct Sales Contracts)	Ministre des Services gouvernementaux et des Services aux consommateurs
2.	<i>Loi sur l'inspection des viandes (Ontario)</i>	La loi entière	Le Règl. de l'Ont. 632/92 (General)	Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
3.	<i>Loi sur les collèges privés d'enseignement professionnel</i>	La loi entière	Le Règlement 939 des R.R.O. de 1990 (General)	Ministre de la Formation et des Collèges et Universités
4.	<i>Loi sur les enquêteurs privés et les gardiens</i>	La loi entière	Aucun	Ministre de la Sécurité communautaire et des Services correctionnels
5.	<i>Loi sur le courtage commercial et immobilier</i>	La loi entière	Le Règlement 986 des R.R.O. de 1990 (General)	Ministre des Services gouvernementaux et des Services aux consommateurs
6.	<i>Loi de 1997 sur la protection des locataires</i>	L'article 206	Aucun	Ministre des Affaires municipales et du Logement



Numéro	Colonne 1	Colonne 2	Colonne 3	Colonne 4
	Titre de la loi abrogée	Partie de la loi abrogée qui est désignée	Règlements abrogés pris en application de la loi abrogée qui sont désignés	Ministre chargé de l'application
7.	<i>Loi sur les cinémas</i>	La loi entière	Le Règlement 1031 des R.R.O. de 1990 (Dispositions générales)  Le Règl. de l'Ont. 248/95 (Adult Sex Film Stickers)	Ministre des Services gouvernementaux et des Services aux consommateurs
8.	<i>Loi sur les agences de voyages</i>	La loi entière	Le Règl. de l'Ont. 806/93 (General)	Ministre des Services gouvernementaux et des Services aux consommateurs

ANNEXE B  
DÉSIGNATION POUR L'APPLICATION DE L'ARTICLE 10 DE LA LOI (PUBLICATION)

TABLEAU 1  
TEXTES LÉGISLATIFS DÉSIGNÉS EN VERTU DE L'ARTICLE 10 DE LA LOI

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
1.	<i>Loi de 2005 sur l'accessibilité pour les personnes handicapées de l'Ontario</i>	La loi entière	Tous
2.	<i>Loi sur les ressources en agrégats</i>	La loi entière	Tous
3.	<i>Loi sur les installations de drainage agricole</i>	La loi entière	Tous
4.	<i>Loi sur les ambulances</i>	La loi entière	Tous
5.	<i>Loi sur le contrôle des sports</i>	La loi entière	Tous
6.	<i>Loi sur les huissiers</i>	La loi entière	Tous
7.	<i>Loi sur l'apiculture</i>	La loi entière	Tous
8.	<i>Loi sur les cimetières (révisée)</i>	La loi entière	Tous
9.	<i>Loi sur les services à l'enfance et à la famille</i>	Le paragraphe 5 (5), les articles 6 et 25, le paragraphe 45 (8), l'article 72, les paragraphes 74 (5), 75 (6), 75 (10), 76 (11) et 79 (2), (3) et (5), les articles 82, 83 et 84, les alinéas 85 (1) e), d), f), h), i) et j), les paragraphes 85 (2) et (3), les paragraphes 141 (1), (2), (3) et (4), le paragraphe 143 (2), les articles 175 et 176 et la partie IX (Permis)	La partie VII (Adoption), sauf les articles 56.1 et 56.2, et la partie IX (Licensing) du Règlement 70 des R.R.O. de 1990 (General)
10.	<i>Loi de 2006 sur l'eau saine</i>	La loi entière	Tous
11.	<i>Loi sur les agences de recouvrement</i>	La loi entière	Tous
12.	<i>Loi de 1998 sur les condominiums</i>	La loi entière	Tous
13.	<i>Loi sur les offices de protection de la nature</i>	La loi entière	Tous
14.	<i>Loi de 2002 sur la protection du consommateur</i>	La loi entière	Tous
15.	<i>Loi sur les renseignements concernant le consommateur</i>	La loi entière	Tous
16.	<i>Loi de 1994 sur la durabilité des forêts de la Couronne</i>	La loi entière	Tous
17.	<i>Loi sur le transport de matières dangereuses</i>	La loi entière	Tous
18.	<i>Loi sur les garderies</i>	La loi entière	Le Règlement 262 des R.R.O. de 1990 (Dispositions générales)
19.	<i>Loi sur les cadavres d'animaux</i>	La loi entière	Tous

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
20.	<i>Loi de 1998 sur l'électricité</i>	La partie VIII (Sécurité des installations électriques)	Le Règl. de l'Ont. 164/99 (Electrical Safety Code)  Le Règl. de l'Ont. 22/04 (Electrical Distribution Safety)  Le Règl. de l'Ont. 570/05 (Licensing of Electrical Contractors and Master Electricians)  Le Règl. de l'Ont. 438/07 (Product Safety)
21.	<i>Loi de 2000 sur les normes d'emploi</i>	La loi entière	Tous
22.	<i>Loi sur les espèces en voie de disparition</i>	La loi entière	Tous
23.	<i>Loi de 2007 sur les espèces en voie de disparition</i>	La loi entière	Tous
24.	<i>Loi sur les évaluations environnementales</i>	La loi entière	Tous
25.	<i>Charte des droits environnementaux de 1993</i>	La loi entière	Tous
26.	<i>Loi sur la protection de l'environnement</i>	La loi entière	Tous
27.	<i>Loi sur les appareils agricoles</i>	La loi entière	Tous
28.	<i>Loi sur le classement et la vente des produits agricoles</i>	La loi entière	Tous
29.	<i>Loi de 2005 sur le classement des films</i>	La loi entière	Tous
30.	<i>Loi de 1997 sur la protection du poisson et de la faune</i>	La loi entière	Tous
31.	<i>Loi sur l'inspection du poisson</i>	La loi entière	Tous
32.	<i>Loi de 2001 sur la qualité et la salubrité des aliments</i>	La loi entière	Tous
33.	<i>Loi sur la prévention des incendies de forêt</i>	La loi entière	Tous
34.	<i>Loi de 2002 sur les services funéraires et les services d'enterrement et de crémation</i>	La loi entière	Tous
35.	<i>Loi sur les directeurs de services funéraires et les établissements funéraires</i>	La loi entière	Tous
36.	<i>Loi sur le grain</i>	La loi entière	Tous
37.	<i>Loi sur la protection et la promotion de la santé</i>	La loi entière	Le Règlement 554 des R.R.O. de 1990 (Camps dans des territoires non érigés en municipalités)  Le Règlement 562 des R.R.O. de 1990 (Food Premises)  Le Règlement 565 des R.R.O. de 1990 (Piscines publiques)  Le Règlement 568 des R.R.O. de 1990 (Camps de loisirs)  Le Règl. de l'Ont. 428/05 (Public Spas)
38.	<i>Code de la route</i>	La loi entière	Tous
39.	<i>Loi sur les foyers de soins spéciaux</i>	La loi entière	Le Règlement 636 des R.R.O. de 1990 (General), sauf la partie VI (Admission of Residents) et la partie IX (Payments by Minister)
40.	<i>Loi de 1998 sur l'adoption internationale</i>	Les articles 8 à 19 et les paragraphes 20 (2) à (6)	Le Règl. de l'Ont. 200/99 (General)

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
41.	<i>Loi autorisant des laboratoires médicaux et des centres de prélèvement</i>	La loi entière, sauf les alinéas 9 (14) b) et c), le paragraphe 9 (15), l'alinéa 18 r) et les articles 19 et 20	Le Règlement 682 des R.R.O. de 1990 (Laboratoires), sauf l'alinéa 9 (1) f) et l'article 14  Le Règlement 683 des R.R.O. de 1990 (Centres de prélèvement)
42.	<i>Loi sur l'aménagement des lacs et des rivières</i>	La loi entière	Tous
43.	<i>Loi sur le bétail et les produits du bétail</i>	La loi entière	Le Règlement 724 des R.R.O. de 1990 (Oeufs)  Le Règlement 725 des R.R.O. de 1990 (Bétail)  Le Règlement 726 des R.R.O. de 1990 (Oeufs transformés)
44.	<i>Loi sur la vente à l'encan du bétail</i>	La loi entière	Tous
45.	<i>Loi sur les médicaments pour le bétail</i>	La loi entière	Tous
46.	<i>Loi sur le lait</i>	Les articles 1 et 2, les paragraphes 2.1 (1), (3), (4) et (5) et les articles 4, 10, 11, 13, 14, 15, 16, 21 et 22	Le Règlement 753 des R.R.O. de 1990 (Grades, Standards, Designations, Classes, Packing and Marking)  Le Règlement 761 des R.R.O. de 1990 (Milk and Milk Products)
47.	<i>Loi sur les mines</i>	La loi entière	Tous
48.	<i>Loi sur le ministère de la Formation et des Collèges et Universités</i>	La loi entière	Tous
49.	<i>Loi sur les commerçants de véhicules automobiles</i>	La loi entière	Tous
50.	<i>Loi de 2002 sur le commerce des véhicules automobiles</i>	La loi entière	Tous
51.	<i>Loi sur la planification et l'aménagement de l'escarpement du Niagara</i>	La loi entière	Tous
52.	<i>Loi de 2002 sur la gestion des éléments nutritifs</i>	La loi entière	Tous
53.	<i>Loi sur la santé et la sécurité au travail</i>	La loi entière, sauf les articles 34, 39 et 40	Tous, sauf l'article 3 et les articles 19 à 23 du Règlement 860 des R.R.O. de 1990 (Système d'information sur les matériaux dangereux utilisés au travail (SIMDUT))
54.	<i>Loi sur les ressources en pétrole, en gaz et en sel</i>	La loi entière	Tous
55.	<i>Loi sur la Commission des transports routiers de l'Ontario</i>	La loi entière	Tous
56.	<i>Loi sur le Régime de garanties des logements neufs de l'Ontario</i>	La loi entière	Tous
57.	<i>Loi sur les ressources en eau de l'Ontario</i>	La loi entière	Tous
58.	<i>Loi sur l'équité salariale</i>	La loi entière	Tous
59.	<i>Loi sur les pesticides</i>	La loi entière	Tous
60.	<i>Loi sur les maladies des plantes</i>	La loi entière	Tous
61.	<i>Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire</i>	La loi entière	Tous
62.	<i>Loi de 2005 sur les collèges privés d'enseignement professionnel</i>	La loi entière	Tous
63.	<i>Loi de 2005 sur les services privés de sécurité et d'enquête</i>	La loi entière	Tous
64.	<i>Loi de 2006 sur les parcs provinciaux et les réserves de conservation</i>	La loi entière	Tous
65.	<i>Loi sur les terres publiques</i>	La loi entière	Tous



Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
66.	<i>Loi sur les véhicules de transport en commun</i>	La loi entière	Tous
67.	<i>Loi de 2000 sur la Commission des courses de chevaux</i>	La loi entière	Tous
68.	<i>Loi de 2002 sur le courtage commercial et immobilier</i>	La loi entière	Tous
69.	<i>Loi de 2006 sur la location à usage d'habitation</i>	La partie XVI (Infractions)	Aucun
70.	<i>Loi de 2002 sur la salubrité de l'eau potable</i>	La loi entière	Tous
71.	<i>Loi de 1995 sur les chemins de fer d'intérêt local</i>	La loi entière	Tous
72.	<i>Loi favorisant un Ontario sans fumée</i>	La loi entière	Tous
73.	<i>Loi de 2002 sur la durabilité des réseaux d'eau et d'égouts</i>	La loi entière	Tous
74.	<i>Loi de 2000 sur les normes techniques et la sécurité</i>	La loi entière	Tous
75.	<i>Loi de 2002 sur le secteur du voyage</i>	La loi entière	Tous
76.	<i>Loi de 1999 sur la société appelée Vintners Quality Alliance</i>	La loi entière	Le Règl. de l'Ont. 405/00 (General)  Le Règl. de l'Ont. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
77.	<i>Loi de 2002 sur le réacheminement des déchets</i>	La loi entière	Tous

TABLEAU 2  
TEXTES LÉGISLATIFS ABROGÉS DÉSIGNÉS EN VERTU DE L'ARTICLE 12 DE LA LOI

Numéro	Colonne 1	Colonne 2	Colonne 3	Colonne 4
	Titre de la loi abrogée	Partie de la loi abrogée qui est désignée	Règlements abrogés pris en application de la loi abrogée qui sont désignés	Ministre chargé de l'application
1.	<i>Loi sur la protection du consommateur</i>	La loi entière	Le Règlement 176 des R.R.O. de 1990 (Dispositions générales)  Le Règl. de l'Ont. 175/01 (Direct Sales Contracts)	Ministre des Services gouvernementaux et des Services aux consommateurs
2.	<i>Loi sur l'inspection des viandes (Ontario)</i>	La loi entière	Le Règl. de l'Ont. 632/92 (General)	Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
3.	<i>Loi sur les collèges privés d'enseignement professionnel</i>	La loi entière	Le Règlement 939 des R.R.O. de 1990 (General)	Ministre de la Formation et des Collèges et Universités
4.	<i>Loi sur les enquêteurs privés et les gardiens</i>	La loi entière	Aucun	Ministre de la Sécurité communautaire et des Services correctionnels
5.	<i>Loi sur le courtage commercial et immobilier</i>	La loi entière	Le Règlement 986 des R.R.O. de 1990 (General)	Ministre des Services gouvernementaux et des Services aux consommateurs
6.	<i>Loi de 1997 sur la protection des locataires</i>	L'article 206	Aucun	Ministre des Affaires municipales et du Logement

Numéro	Colonne 1	Colonne 2	Colonne 3	Colonne 4
	Titre de la loi abrogée	Partie de la loi abrogée qui est désignée	Règlements abrogés pris en application de la loi abrogée qui sont désignés	Ministre chargé de l'application
7.	<i>Loi sur les cinémas</i>	La loi entière	Le Règlement 1031 des R.R.O. de 1990 (Dispositions générales)  Le Règl. de l'Ont. 248/95 (Adult Sex Film Stickers)	Ministre des Services gouvernementaux et des Services aux consommateurs
8.	<i>Loi sur les agences de voyages</i>	La loi entière	Le Règl. de l'Ont. 806/93 (General)	Ministre des Services gouvernementaux et des Services aux consommateurs

ANNEXE C  
DÉSIGNATION POUR L'APPLICATION DE L'ARTICLE 14 DE LA LOI (AUTORISATIONS MULTIPLES)

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
1.	<i>Loi de 2005 sur l'accessibilité pour les personnes handicapées de l'Ontario</i>	La loi entière	Tous
2.	<i>Loi sur les ressources en agrégats</i>	La loi entière	Tous
3.	<i>Loi sur les installations de drainage agricole</i>	La loi entière	Tous
4.	<i>Loi sur les ambulances</i>	La loi entière	Tous
5.	<i>Loi sur le contrôle des sports</i>	La loi entière	Tous
6.	<i>Loi sur les huissiers</i>	La loi entière	Tous
7.	<i>Loi sur l'apiculture</i>	La loi entière	Tous
8.	<i>Loi sur les cimetières (révisée)</i>	La loi entière	Tous
9.	<i>Loi de 2006 sur l'eau saine</i>	La loi entière	Tous
10.	<i>Loi sur les agences de recouvrement</i>	La loi entière	Tous
11.	<i>Loi de 1998 sur les condominiums</i>	La loi entière	Tous
12.	<i>Loi sur les offices de protection de la nature</i>	La loi entière	Tous
13.	<i>Loi de 2002 sur la protection du consommateur</i>	La loi entière	Tous
14.	<i>Loi sur les renseignements concernant le consommateur</i>	La loi entière	Tous
15.	<i>Loi de 1994 sur la durabilité des forêts de la Couronne</i>	La loi entière	Tous
16.	<i>Loi sur le transport de matières dangereuses</i>	La loi entière	Tous
17.	<i>Loi sur les cadavres d'animaux</i>	La loi entière	Tous
18.	<i>Loi sur l'interchangeabilité des médicaments et les honoraires de préparation</i>	Les articles 12.1 et 12.2	L'article 2 et l'annexe 1 du Règlement 935 des R.R.O. de 1990 (General)
19.	<i>Loi de 1998 sur l'électricité</i>	La partie VIII (Sécurité des installations électriques)	Le Règl. de l'Ont. 164/99 (Electrical Safety Code)  Le Règl. de l'Ont. 22/04 (Electrical Distribution Safety)  Le Règl. de l'Ont. 570/05 (Licensing of Electrical Contractors and Master Electricians)  Le Règl. de l'Ont. 438/07 (Product Safety)
20.	<i>Loi de 2000 sur les normes d'emploi</i>	La loi entière	Tous
21.	<i>Loi sur les espèces en voie de disparition</i>	La loi entière	Tous
22.	<i>Loi de 2007 sur les espèces en voie de disparition</i>	La loi entière	Tous
23.	<i>Loi sur les évaluations environnementales</i>	La loi entière	Tous

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
24.	<i>Loi sur la protection de l'environnement</i>	La loi entière	Tous
25.	<i>Loi sur les appareils agricoles</i>	La loi entière	Tous
26.	<i>Loi sur le classement et la vente des produits agricoles</i>	La loi entière	Le Règlement 378 des R.R.O. de 1990 (Grades—Fruits and Vegetables)  Le Règlement 384 des R.R.O. de 1990 (Honey)  Le Règlement 386 des R.R.O. de 1990 (Maple Products)
27.	<i>Loi de 2005 sur le classement des films</i>	La loi entière	Tous
28.	<i>Loi de 1997 sur la protection du poisson et de la faune</i>	La loi entière	Tous
29.	<i>Loi sur l'inspection du poisson</i>	La loi entière	Tous
30.	<i>Loi de 2001 sur la qualité et la salubrité des aliments</i>	La loi entière	Le Règl. de l'Ont. 222/05 (General)  Le Règl. de l'Ont. 31/05 (Meat)
31.	<i>Loi sur la prévention des incendies de forêt</i>	La loi entière	Tous
32.	<i>Loi de 2002 sur les services funéraires et les services d'enterrement et de crémation</i>	La loi entière	Tous
33.	<i>Loi sur les directeurs de services funéraires et les établissements funéraires</i>	La loi entière	Tous
34.	<i>Loi sur le grain</i>	La loi entière	Tous
35.	<i>Loi sur la protection contre les rayons X</i>	La loi entière	Tous
36.	<i>Loi sur la protection et la promotion de la santé</i>	La loi entière	Le Règlement 554 des R.R.O. de 1990 (Camps dans des territoires non érigés en municipalités)  Le Règlement 562 des R.R.O. de 1990 (Food Premises)  Le Règlement 565 des R.R.O. de 1990 (Piscines publiques)  Le Règlement 568 des R.R.O. de 1990 (Camps de loisirs)  Le Règl. de l'Ont. 428/05 (Public Spas)
37.	<i>Code de la route</i>	La loi entière	Tous
38.	<i>Loi sur les foyers de soins spéciaux</i>	La loi entière	Le Règlement 636 des R.R.O. de 1990 (General), sauf la partie VI (Admission of Residents) et la partie IX (Payments by Minister)
39.	<i>Loi autorisant des laboratoires médicaux et des centres de prélèvement</i>	La loi entière, sauf les alinéas 9 (14) b) et c), le paragraphe 9 (15), l'alinéa 18 r) et les articles 19 et 20	Le Règlement 682 des R.R.O. de 1990 (Laboratoires), sauf l'alinéa 9 (1) f) et l'article 14  Le Règlement 683 des R.R.O. de 1990 (Centres de prélèvement)
40.	<i>Loi sur l'aménagement des lacs et des rivières</i>	La loi entière	Tous
41.	<i>Loi sur le bétail et les produits du bétail</i>	La loi entière	Le Règlement 724 des R.R.O. de 1990 (Oeufs)  Le Règlement 725 des R.R.O. de 1990 (Bétail)  Le Règlement 726 des R.R.O. de 1990 (Oeufs transformés)



Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
42.	<i>Loi sur la vente à l'encan du bétail</i>	La loi entière	Tous
43.	<i>Loi sur les médicaments pour le bétail</i>	La loi entière	Tous
44.	<i>Loi sur le lait</i>	Les articles 1 et 2, les paragraphes 2.1 (1), (3), (4) et (5) et les articles 4, 10, 11, 13, 14, 15, 16, 21 et 22	Le Règlement 753 des R.R.O. de 1990 (Grades, Standards, Designations, Classes, Packing and Marking)  Le Règlement 761 des R.R.O. de 1990 (Milk and Milk Products)
45.	<i>Loi sur les mines</i>	La loi entière	Le Règlement 768 des R.R.O. de 1990 (Surveys of Mining Claims)  Le Règl. de l'Ont. 6/96 (Travaux d'évaluation)  Le Règl. de l'Ont. 7/96 (Jalonnement des claims)  Le Règl. de l'Ont. 356/98 (Jalonnement dans les secteurs désignés)  Le Règl. de l'Ont. 240/00 (Mine Development and Closure under Part VII of the Act)  Le Règl. de l'Ont. 263/02 (Exploration Licences, Production and Storage Leases for Oil and Gas in Ontario)  Le Règl. de l'Ont. 192/06 (Autorisation d'analyser la teneur en minéraux)  Le Règl. de l'Ont. 323/07 (Royalty on Diamonds)
46.	<i>Loi sur le ministère de la Formation et des Collèges et Universités</i>	La loi entière	Tous
47.	<i>Loi sur les commerçants de véhicules automobiles</i>	La loi entière	Tous
48.	<i>Loi de 2002 sur le commerce des véhicules automobiles</i>	La loi entière	Tous
49.	<i>Loi sur la planification et l'aménagement de l'escarpement du Niagara</i>	La loi entière	Tous
50.	<i>Loi de 2002 sur la gestion des éléments nutritifs</i>	La loi entière	Tous
51.	<i>Loi sur la santé et la sécurité au travail</i>	La loi entière	Tous
52.	<i>Loi sur les ressources en pétrole, en gaz et en sel</i>	La loi entière	Tous
53.	<i>Loi sur le régime de médicaments de l'Ontario</i>	La loi entière	Tous
54.	<i>Loi sur la Commission des transports routiers de l'Ontario</i>	La loi entière	Tous
55.	<i>Loi sur le Régime de garanties des logements neufs de l'Ontario</i>	La loi entière	Tous
56.	<i>Loi sur les ressources en eau de l'Ontario</i>	La loi entière	Tous
57.	<i>Loi sur l'équité salariale</i>	La loi entière	Tous
58.	<i>Loi sur les pesticides</i>	La loi entière	Tous
59.	<i>Loi sur les maladies des plantes</i>	La loi entière	Tous
60.	<i>Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire</i>	La loi entière	Tous
61.	<i>Loi de 2005 sur les collèges privés d'enseignement professionnel</i>	La loi entière	Tous

Numéro	Colonne 1	Colonne 2	Colonne 3
	Titre de la loi	Partie de la loi qui est désignée	Règlements pris en application de la loi qui sont désignés
62.	<i>Loi de 2006 sur les parcs provinciaux et les réserves de conservation</i>	La loi entière	Tous
63.	<i>Loi sur les terres publiques</i>	La loi entière	Tous
64.	<i>Loi sur les véhicules de transport en commun</i>	La loi entière	Tous
65.	<i>Loi de 2000 sur la Commission des courses de chevaux</i>	La loi entière	Tous
66.	<i>Loi de 2002 sur le courtage commercial et immobilier</i>	La loi entière	Tous
67.	<i>Loi de 2006 sur la location à usage d'habitation</i>	La partie XIV (Normes d'entretien), la partie XV (Application et exécution) et la partie XVI (Infractions)	Aucun
68.	<i>Loi de 2002 sur la salubrité de l'eau potable</i>	La loi entière	Tous
69.	<i>Loi de 1995 sur les chemins de fer d'intérêt local</i>	La loi entière	Tous
70.	<i>Loi favorisant un Ontario sans fumée</i>	La loi entière	Tous
71.	<i>Loi de 2002 sur la durabilité des réseaux d'eau et d'égouts</i>	La loi entière	Tous
72.	<i>Loi de 2000 sur les normes techniques et la sécurité</i>	La loi entière	Tous
73.	<i>Loi de la taxe sur le tabac</i>	La loi entière, sauf l'article 17	Aucun
74.	<i>Loi de 2002 sur le secteur du voyage</i>	La loi entière	Tous
75.	<i>Loi de 1999 sur la société appelée Vintners Quality Alliance</i>	La loi entière	Le Règl. de l'Ont. 405/00 (General)  Le Règl. de l'Ont. 406/00 (Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)
76.	<i>Loi de 2002 sur le réacheminement des déchets</i>	La loi entière	Tous

16/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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**Publications under Part III (Regulations) of the Legislation Act, 2006  
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de la Loi de 2006 sur la législation**

2008—04—26

**ONTARIO REGULATION 76/08**

made under the

**LAND REGISTRATION REFORM ACT**

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Amending O. Reg. 19/99  
(Electronic Registration)

Note: Ontario Regulation 19/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 4 of Ontario Regulation 19/99 is amended by striking out the portion before clause (a) and substituting the following:**

**4. A document submitted for electronic registration, other than a power of attorney or a revocation of a power of attorney, shall contain,**

. . . . .

**(2) Clause 4 (i) of the Regulation is revoked and the following substituted:**

- (i) if the document is made by an attorney acting under a power of attorney given by a donor that is not a corporation,
    - (i) a statement by the attorney that, to the best of the attorney's knowledge and belief,
      - (A) the donor was at least 18 years old and had the legal capacity to give the power when giving it, and
      - (B) the power is in full force and effect,
    - (ii) a statement by the solicitor submitting the document confirming that the solicitor has reviewed the power with the attorney who has confirmed that,
      - (A) the attorney is the lawful party named in the power,
      - (B) the attorney is acting within the scope of the authority granted by the power,
      - (C) to the best of the attorney's knowledge, information and belief, the power was lawfully given and has not been revoked, and
      - (D) if the attorney is a corporation, the person signing the document at the time the document was made was in the stated position at the corporation and had the authority to bind the attorney, and
    - (iii) the registration number and date of the power;
  - (i.1) if the document is made by an attorney acting under a power of attorney given by a donor that is a corporation,
    - (i) a statement by the attorney that,
      - (A) to the best of the attorney's knowledge and belief, the power is in full force and effect,
      - (B) the attorney is acting within the scope of the authority granted under the power, and
      - (C) the attorney has the authority to bind the donor, and
    - (ii) the registration number and date of the power;
- (3) Subclause 4 (m) (ii) of the Regulation is amended by striking out "this Act" and substituting "the Act".**

**2. (1) Section 5 of the Regulation is amended by striking out “and” at the end of clause (f) and by adding the following clause:**

(f.1) subject to subsection (3), the statements that are described in one of the paragraphs of subsection (2); and

**(2) Section 5 of the Regulation is amended by adding the following subsections:**

(2) The statements mentioned in clause (1) (f.1) are the following:

1. A statement by each of the solicitor for the transferor and the solicitor for the transferee that the solicitor for the transferor and the solicitor for the transferee are not one and the same.
2. A statement by the solicitor for the transferor that the solicitor for the transferor and the solicitor for the transferee are one and the same and the transfer is being made in accordance with the solicitor's professional standards.
3. A statement by the solicitor for the transferor that the transferor and the transferee are one and the same and the transfer is being made to effect a change in legal tenure.
4. A statement by the solicitor for the transferor that the transferor and the transferee are one and the same and the transfer is being made to effect a severance of land.
5. A statement by the solicitor for the transferor that the transfer is from an estate trustee, executor or administrator to a person who is beneficially entitled to a share in the estate.

(3) No statement is required under clause (1) (f.1) if,

- (a) the land that the transfer affects is being acquired or disposed of by the Crown in right of Ontario, the Crown in right of Canada, a Crown corporation, an agency, board or commission of the Crown or a municipal corporation; or
- (b) the transfer is being made to effect the transfer of an easement.

**3. Section 8 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

8. In addition to the matters set out in section 4, a document submitted for electronic registration, other than a transfer, charge, discharge, power of attorney or revocation of a power of attorney, shall contain,

. . . . .

**4. Section 27 of the Regulation is revoked.**

**5. The Regulation is amended by adding the following section:**

**39.1 (1)** A power of attorney submitted for electronic registration shall contain,

- (a) a statement of the type of the document;
  - (b) statements setting out the effect of the document;
  - (c) the date that the preparation of the document was completed;
  - (d) the date that the land registrar received the document for registration;
  - (e) the names of the parties to the document;
  - (f) an address for service, including the postal code, for the person claiming or obtaining an interest under the document or for the person's solicitor;
  - (g) the name, address, telephone number and fax transmission number of the person who prepared the document;
  - (h) the name, address, telephone number and fax transmission number of the person who submitted the document;
  - (i) if the document is made by a corporation, a statement by the person acting for the corporation that the person is authorized to bind the corporation;
  - (j) all other information that the Director considers necessary to establish the interest claimed by the parties to the document;
  - (k) a statement whether the power is for a limited purpose or a general purpose; and
  - (l) an image, in electronic format, of the original executed and witnessed power or of a notarial or certified copy of the original.
- (2) A revocation of a power of attorney submitted for electronic registration shall contain,
- (a) the matters set out in clauses (1) (a) to (k);
  - (b) the registration number and date of registration of the other documents, if any, to which the document relates; and

(c) one of the following:

- (i) an image, in electronic format, of the original executed and witnessed revocation, other original evidence of the revocation or a notarial or certified copy of the original,
- (ii) both of the following:
  - (A) an image, in electronic format, of the original order revoking the power or a notarial or certified copy of the original order,
  - (B) a statement by the solicitor for the registrant that the order revoking the power is in full force and effect,
- (iii) a statement by the solicitor for the registrant that the power is no longer in force, as a result of the death of the donor.

**6. Subsection 40 (1) of the Regulation is revoked and the following substituted:**

(1) No person other than a person who is entitled to practise law in Ontario as a solicitor shall make the statements mentioned in subclause 4 (i) (ii), subsection 5 (2), sections 14, 15, 19 and 20, subsection 25 (2), clause 28 (d), section 30, subclause 33 (1) (b) (ii), clauses 34 (2) (b) and (c), sub-subclause 39.1 (2) (c) (ii) (B) and subclause 39.1 (2) (c) (iii).

**7. This Regulation comes into force on the day it is filed.**

Made by:

KATHERINE MURRAY  
*Director of Titles*

Date made: April 7, 2008.

17/08

**ONTARIO REGULATION 77/08**

made under the

**JUSTICES OF THE PEACE ACT**

Made: April 2, 2008

Filed: April 7, 2008

Published on e-Laws: April 8, 2008

Printed in *The Ontario Gazette*: April 26, 2008

Amending O. Reg. 247/94

(Salaries and Benefits of Justices of the Peace)

Note: Ontario Regulation 247/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 2 of Ontario Regulation 247/94 is revoked and the following substituted:**

**SALARIES**

2. The salary of a person who held office as a full-time justice of the peace on or after April 1, 2005 shall be paid on the basis of the annual salaries for the periods set out in Columns 2, 3 and 4 of the following Table opposite the office set out in Column 1 of that Table.



TABLE

Column 1	Column 2	Column 3	Column 4
Office	Salary — April 1, 2005 to March 31, 2006	Salary — April 1, 2006 to March 31, 2007	Salary — annually, from April 1, 2007
Regional senior justice of the peace for a region	\$108,946	\$112,119	\$115,292
Senior advisory justice of the peace	108,946	112,119	115,292
Senior justice of the peace/administrator of the Native justice of the peace program	108,946	112,119	115,292
Presiding justice of the peace	103,000	106,000	109,000
Non-presiding justice of the peace	74,937	77,120	79,303

**2. Subsection 3 (3) of the Regulation is revoked and the following substituted:**

(3) Despite subsection (2), the minimum annual salary of a part-time justice of the peace who is designated as a non-presiding justice of the peace on or after April 1, 2005 is,

- (a) from April 1, 2005 to March 31, 2006, \$3,524;
- (b) from April 1, 2006 to March 31, 2007, \$3,626; and
- (c) annually, from April 1, 2007, \$3,729.

**3. (1) Subsections 9 (2) and (3) of the Regulation are revoked and the following substituted:**

(2) A justice of the peace is not entitled to be reimbursed under subsection (1) for more than the following amounts for the periods specified:

- 1. For expenses incurred from January 1, 2001 to March 31, 2001, \$125.
- 2. For expenses incurred in the 12-month period beginning on April 1 in each year from 2001 up to and including 2007, \$500.
- 3. For expenses incurred in the 12-month period beginning on April 1 in each year from 2008 onwards, \$750.

(2) Subsection 9 (4) of the Regulation is amended by,

- (a) striking out “subsection (2)” and substituting “paragraph 2 or 3 of subsection (2)”; and
- (b) striking out “that subsection” and substituting “the applicable paragraph of that subsection”.

(3) Subsection 9 (5) of the Regulation is amended by striking out “the maximum amount under subsection (2) shall be reduced by one-twelfth of the amount mentioned in subsection (2)” and substituting “the maximum amount under paragraph 2 or 3 of subsection (2), as the case may be, shall be reduced by one-twelfth of the amount mentioned in the paragraph”.

(4) Subsection 9 (6) of the Regulation is amended by striking out “in a period described in subsection (3)” at the end and substituting “incurred in the period described in paragraph 1 of subsection (2)”.

**4. This Regulation comes into force on the day it is filed.**

17/08

**ONTARIO REGULATION 78/08**

made under the

**MUNICIPAL ACT, 2001**

Made: April 3, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008

Amending Reg. 810 of R.R.O. 1990  
(Designation of Provincial Education Institutions)

Note: Regulation 810 has not previously been amended.

**1. (1) Section 1 of Regulation 810 of the Revised Regulations of Ontario, 1990 is amended by striking out “section 157” in the portion before the table and substituting “subsection 323 (5)”.**

**(2) The Table to section 1 of the Regulation is revoked and the following substituted:**

	Institution	Location
1.	Amethyst School	City of London
2.	Centralia College of Agricultural Technology	Township of Stephen
3.	Centre Jules-Léger	City of Ottawa
4.	Kemptville College of Agricultural Technology	Township of Oxford on Rideau
5.	New Liskeard College of Agricultural Technology	Town of New Liskeard
6.	Ridgetown College of Agricultural Technology	Town of Ridgetown
7.	Sagonaska School	City of Belleville
8.	The Ernest C. Drury School	Town of Milton
9.	The Robarts School	City of London
10.	The Sir James Whitney School	City of Belleville
11.	The W. Ross Macdonald School	City of Brantford
12.	Trillium School	Town of Milton

**2. The Regulation is amended by adding the following French version:****DÉSIGNATION DES ÉTABLISSEMENTS PROVINCIAUX D'ENSEIGNEMENT**

1. Les établissements provinciaux d'enseignement suivants sont désignés comme tels pour l'application du paragraphe 323 (5) de la Loi :

	Établissement	Lieu
1.	Amethyst School	Cité de London
2.	Centralia College of Agricultural Technology	Canton de Stephen
3.	Centre Jules-Léger	Ville d'Ottawa
4.	Kemptville College of Agricultural Technology	Canton de Oxford on Rideau
5.	New Liskeard College of Agricultural Technology	Ville de New Liskeard
6.	Ridgetown College of Agricultural Technology	Ville de Ridgetown
7.	The Ernest C. Drury School	Ville de Milton
8.	The Robarts School	Cité de London
9.	The Sir James Whitney School	Cité de Belleville
10.	The W. Ross Macdonald School	Cité de Brantford
11.	Sagonaska School	Cité de Belleville
12.	Trillium School	Ville de Milton

**3. This Regulation comes into force on the day it is filed.**

Made by:

KATHLEEN O'DAY WYNNE  
Minister of Education

Date made: April 3, 2008.

17/08

**ONTARIO REGULATION 79/08**

made under the

**EDUCATION ACT**

Made: April 3, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008

Amending O. Reg. 446/98  
(Reserve Funds)

Note: Ontario Regulation 446/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 1 (1) of Ontario Regulation 446/98 is revoked and the following substituted:**

(1) Every district school board shall allocate the portion of every pupil accommodation allocation received under the legislative grant regulations made under subsection 234 (1) of the Act that is in respect of school renewal, new pupil places or outstanding capital commitments, to a reserve fund established only for the purposes of,

- (a) acquiring things listed in subsection (2) by lease; or
- (b) financing the acquisition, by purchase or otherwise, of things listed in subsection (2), if they were acquired,
  - (i) on or before June 12, 2006, or
  - (ii) at any other time if the acquisition is reported by the board as being for the purposes of school renewal.

**2. Subsection 2 (1) of the Regulation is revoked and the following substituted:**

(1) Subject to subsection (3), every district school board shall allocate all proceeds of sales, leases and other dispositions of real property, other than real property to which section 2.1 applies, to a reserve fund established only for the purposes of,

- (a) with respect to the things listed in subsection (1.1),
  - (i) acquiring them by lease, or
  - (ii) financing their acquisition, by purchase or otherwise, if they were acquired,
    - (A) on or before June 12, 2006, or
    - (B) at any other time if the acquisition is reported by the board as being for the purposes of school renewal; and
- (b) subject to subsections (3) to (6), acquiring, by purchase, lease or otherwise, real property to be used by the board for board administration purposes, and additions, alterations, renovations or major repairs to real property used by the board for those purposes.

**3. The Regulation is amended by adding the following section:****RESERVE FUND FOR THE PROCEEDS OF DISPOSITION OF SCHOOLS THAT ARE PROHIBITIVE TO REPAIR**

**2.1** (1) Subject to subsection (3), every district school board shall allocate all proceeds of sales, leases and other dispositions of real property described in subsection (2) to a reserve fund established only for the purposes of financing the acquisition of any of the following things that were acquired on or before June 12, 2006, by lease, purchase or otherwise:

- 1. School sites that provide or are capable of providing pupil accommodation, and additions or improvements to such school sites.
- 2. School buildings, fixtures of school buildings, fixtures of school properties, and additions, alterations, renovations or major repairs to school buildings, fixtures of school buildings or fixtures of school properties.
- 3. Furniture and equipment to be used in school buildings.
- 4. Library materials for the initial equipping of libraries in school buildings.
- 5. Installations on school properties to supply school buildings on the properties with water, sewer, septic, electrical, heating, cooling, natural gas, telephone or cable services, and alterations, replacements or major repairs to those installations.
- 6. Changes to the level, drainage or surface of school properties.



(2) The real property referred to in subsection (1) is all schools, and all school sites on which a school described as follows is located:

1. The school is designated as a school that is prohibitive to repair in a regulation made under section 234 of the Act.
2. A grant was calculated in a regulation made under section 234 of the Act in respect of the school on the basis of the board's cost of borrowing to finance the replacement of the school.

(3) Subsection 231 (6) of the Act applies to money held in a reserve fund described in this section.

(4) Subject to subsection (5), every district school board shall allocate all proceeds of property insurance on property of a kind referred to in subsection (2), whether or not the property was acquired with money from a reserve fund referred to in subsection (1), to a reserve fund established only for the purposes referred to in subsection (1).

(5) Subsections (1) and (4) do not apply to,

- (a) proceeds that are required by section 3 to be allocated to an education development charge account or education development charge reserve fund;
- (b) proceeds that the board is required to pay to another board pursuant to an agreement approved by the Education Improvement Commission; or
- (c) proceeds that the board is required to pay to the Crown in right of Canada pursuant to an agreement under subsection 188 (3) of the Act.

4. Subsection 4 (2) of the Regulation is amended by adding the following paragraph:

11. A long-term care home as defined in the *Long-Term Care Homes Act, 2007*.

5. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 79/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 3 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008

modifiant le Règl. de l'Ont. 446/98

(Fonds de réserve)

Remarque : Le Règlement de l'Ontario 446/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

#### 1. Le paragraphe 1 (1) du Règlement de l'Ontario 446/98 est abrogé et remplacé par ce qui suit :

(1) Le conseil scolaire de district verse la part de chaque somme qu'il reçoit au titre des installations d'accueil pour les élèves aux termes des règlements sur les subventions générales pris en application du paragraphe 234 (1) de la Loi qui se rapporte à la réfection des écoles, aux nouvelles places ou aux engagements d'immobilisations non réalisés à un fonds de réserve constitué à la seule fin :

- a) ou bien de l'acquisition, par voie de location, des choses énumérées au paragraphe (2);
- b) ou bien du financement de l'acquisition, par voie d'achat ou autrement, des choses énumérées au paragraphe (2), si l'acquisition a été effectuée :
  - (i) soit le 12 juin 2006 ou avant cette date,
  - (ii) soit à un autre moment, si le conseil déclare que l'acquisition est effectuée aux fins de la réfection des écoles.

#### 2. Le paragraphe 2 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Sous réserve du paragraphe (3), le conseil scolaire de district verse la totalité du produit des ventes, des locations et des aliénations de biens immeubles, à l'exclusion des biens immeubles auxquels s'applique l'article 2.1, à un fonds de réserve constitué aux seules fins suivantes :

a) en ce qui concerne les choses énumérées au paragraphe (1.1) :

(i) leur acquisition, par voie de location,

(ii) le financement de leur acquisition, par voie d'achat ou autrement, si leur acquisition a été effectuée :

(A) soit le 12 juin 2006 ou avant cette date,

(B) soit à un autre moment, si le conseil déclare que l'acquisition est effectuée aux fins de la réfection des écoles;

b) sous réserve des paragraphes (3) à (6), l'acquisition, notamment par voie d'achat ou de location, de biens immeubles dont le conseil se servira aux fins de son administration, ainsi que l'agrandissement des biens immeubles dont le conseil se sert à ces fins et leur transformation, leur rénovation ou les réparations importantes qui y sont apportées.

### **3. Le Règlement est modifié par adjonction de l'article suivant :**

#### **FONDS DE RÉSERVE DU PRODUIT DES ALIÉNATIONS DES ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF**

**2.1** (1) Sous réserve du paragraphe (3), le conseil scolaire de district verse la totalité du produit des ventes, des locations et des aliénations de biens immeubles visés au paragraphe (2) à un fonds de réserve constitué à la seule fin du financement de l'acquisition de n'importe laquelle des choses suivantes, notamment par voie d'achat ou de location, si elles ont été acquises le 12 juin 2006 ou avant cette date :

1. Les emplacements scolaires qui offrent ou sont capables d'offrir des installations d'accueil pour les élèves, ainsi que leur agrandissement ou les améliorations qui y sont apportées.
2. Les bâtiments scolaires, les accessoires fixes de bâtiments scolaires ou les accessoires fixes de biens scolaires, ainsi que leur agrandissement, leur transformation, leur rénovation ou les réparations importantes qui y sont apportées.
3. Les meubles et le matériel qui doivent servir dans des bâtiments scolaires.
4. Les documents de bibliothèque nécessaires à la dotation initiale de bibliothèques en matériel dans des bâtiments scolaires.
5. Les installations situées sur des biens scolaires et servant à fournir aux bâtiments scolaires situés sur ces biens des services d'alimentation en eau, en électricité ou en gaz naturel, d'égouts, de fosses septiques, de chauffage, de climatisation, de téléphone ou de câblodistribution, ainsi que leur transformation, leur remplacement ou les réparations importantes qui y sont apportées.
6. La modification du niveau, du drainage ou de la surface des biens scolaires.

(2) Les biens immeubles visés au paragraphe (1) consistent en la totalité des écoles ainsi qu'en la totalité des emplacements scolaires sur lesquels se trouve une école qui remplit les critères suivants :

1. L'école est désignée comme école dont le coût des réparations est prohibitif dans un règlement pris en application de l'article 234 de la Loi.
2. Une subvention a été calculée à l'égard de l'école dans un règlement pris en application de l'article 234 de la Loi en fonction du coût d'emprunt que doit engager le conseil pour financer le remplacement de l'école.

(3) Le paragraphe 231 (6) de la Loi s'applique aux sommes détenues dans un fonds de réserve visé au présent article.

(4) Sous réserve du paragraphe (5), le conseil scolaire de district verse la totalité du produit de l'assurance de biens visant des biens d'un genre visé au paragraphe (2), qu'ils aient été acquis ou non à l'aide de sommes provenant d'un fonds de réserve visé au paragraphe (1), à un fonds de réserve constitué aux seules fins visées à ce paragraphe.

(5) Les paragraphes (1) et (4) ne s'appliquent pas à ce qui suit :

- a) le produit qui doit, aux termes de l'article 3, être versé à un compte de redevances d'aménagement scolaires ou à un fonds de réserve de redevances d'aménagement scolaires;
- b) le produit que le conseil est tenu de verser à un autre conseil conformément à une entente approuvée par la Commission d'amélioration de l'éducation;
- c) le produit que le conseil est tenu de verser à la Couronne du chef du Canada conformément à une entente prévue au paragraphe 188 (3) de la Loi.

### **4. Le paragraphe 4 (2) du Règlement est modifié par adjonction de la disposition suivante :**

11. Les foyers de soins de longue durée au sens de la *Loi de 2007 sur les foyers de soins de longue durée*.

### **5. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 3, 2008.  
Pris le : 3 avril 2008.

17/08

## ONTARIO REGULATION 80/08

made under the

### EDUCATION ACT

Made: April 2, 2008  
Filed: April 7, 2008  
Published on e-Laws: April 9, 2008  
Printed in *The Ontario Gazette*: April 26, 2008

Amending O. Reg. 341/06

(Grants for Student Needs — Legislative Grants for the 2006-2007 School Board Fiscal Year)

Note: Ontario Regulation 341/06 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 4 of subsection 38 (5) of Ontario Regulation 341/06 is revoked and the following substituted:**

4. Add 0.62 per cent of the amount set out in Column 2 of Table 7 opposite the name of the board.

**2. Items 3 and 4 of Table 4 of the Regulation are revoked and the following substituted:**

3.	Conseil scolaire de district catholique des Aurores boréales	-5,511	126,689	-972	22,348	174,846	-46,042
4.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	-77,833	-5,752	-12,852	-924	-4,448	-7,553

**3. Item 1 of Table 16.1 of the Regulation is revoked.**

**4. Table 16.2 of the Regulation is amended by adding the following item:**

26.	Thames Valley District School Board	5684		Strathroy CI	Strathroy-Caradoc
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**5. Items 9 and 10 of Table 16.3 of the Regulation are revoked and the following substituted:**

9.	Thames Valley District School Board	323	Caradoc South PS	Strathroy-Caradoc	2,679,881	444,378
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**6. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 80/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 2 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008

modifiant le Règl. de l'Ont. 341/06

(Subventions pour les besoins des élèves — subventions générales pour l'exercice 2006-2007 des conseils scolaires)

Remarque : Le Règlement de l'Ontario 341/06 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. La disposition 4 du paragraphe 38 (5) du Règlement de l'Ontario 341/06 est abrogée et remplacée par ce qui suit :**

4. Ajouter 0,62 pour cent de la somme indiquée à la colonne 2 du tableau 7 en regard du nom du conseil.

**2. Les points 3 et 4 du tableau 4 du Règlement sont abrogés et remplacés par ce qui suit :**

3.	Conseil scolaire de district catholique des Aurores boréales	-5,511	126,689	-972	22,348	174,846	-46,042
4.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	-77,833	-5,752	-12,852	-924	-4,448	-7,553

**3. Le point 1 du tableau 16.1 du Règlement est abrogé.**

**4. Le tableau 16.2 du Règlement est modifié par adjonction du point suivant :**

26.	Thames Valley District School Board	5684		Strathroy CI	Strathroy-Caradoc
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**5. Les points 9 et 10 du tableau 16.3 du Règlement sont abrogés et remplacés par ce qui suit :**

9.	Thames Valley District School Board	323	Caradoc South PS	Strathroy-Caradoc	2,679,881	444,378
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**6. Le présent règlement entre en vigueur le jour de son dépôt.**

17/08

**ONTARIO REGULATION 81/08**

made under the

**EDUCATION ACT**

Made: April 2, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008

Amending O. Reg. 152/07

(Grants for Student Needs — Legislative Grants for the 2007-2008 School Board Fiscal Year)

Note: Ontario Regulation 152/07 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 3 (6) of Ontario Regulation 152/07 is revoked and the following substituted:**

(6) The documents entitled “Good Places to Learn: Stage 1 Funding Allocation”, referred to in clause 43 (2) (a), “Good Places to Learn: Stage 2 Funding Allocation”, referred to in clause 43 (3) (a), and “Good Places to Learn: Stage 3 Funding Allocation”, referred to in clause 43 (4) (a), are available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

**2. Paragraph 6 of section 37 of the Regulation is revoked and the following substituted:**

6. Add the amount set out in Column 2 of Table 9.1 opposite the name of the board to the total of the amounts determined under paragraphs 2 and 5.

**3. Paragraph 4 of subsection 38 (5) of the Regulation is revoked and the following substituted:**

4. Add 0.62 per cent of the amount set out in Column 2 of Table 7 opposite the name of the board.

**4. (1) Subsection 43 (1) of the Regulation is amended by adding the following paragraphs:**

- 4.1 Determine the portion of the cost of urgent and high priority renewal projects described in subsection (4) and set out in Column 4 of Table 16 opposite the name of the board, that was incurred by the board in each of the 2006-2007 and 2007-2008 school board fiscal years for construction or renovation work that began on or after January 1, 2007.
- 4.2 Total the portions determined under paragraph 4.1 for the two fiscal years.

**(2) Paragraph 5 of subsection 43 (1) of the Regulation is revoked and the following substituted:**

5. Add the amounts determined under paragraphs 2, 4 and 4.2.

**(3) Section 43 of the Regulation is amended by adding the following subsection:**

- (4) For the purposes of paragraph 4.1 of subsection (1), an urgent and high priority renewal project is a project that,
  - (a) is at a school of the board listed in Appendix B of the document entitled “Good Places to Learn: Stage 3 Funding Allocation”, which is available as described in subsection 3 (6); and
  - (b) has been approved by the Minister, as indicated in the document mentioned in clause (a), on the basis that the project addresses an urgent and high priority renewal need at the school.

**5. (1) Paragraph 9 of subsection 44 (1) of the Regulation is amended by adding “or under a predecessor of that paragraph for a prior school board fiscal year” at the end.****(2) Paragraph 58 of subsection 44 (1) of the Regulation is amended by adding “or under a predecessor of that paragraph for a prior school board fiscal year” at the end.****(3) Paragraph 99 of subsection 44 (1) of the Regulation is revoked and the following substituted:**

99. Determine the portion of each capital project of the board that was wholly or partially funded with amounts calculated under this subsection or a predecessor of this subsection for a prior school board fiscal year, where capital projects are projects for purposes established under subsection 1 (2) of Ontario Regulation 446/98 (Reserve Funds) made under the Act and includes projects that have been constructed by August 31, 2008, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.

**(4) Subparagraphs 100 i, ii, iii and iv of subsection 44 (1) of the Regulation are revoked and the following substituted:**

- i. debt incurred to finance the construction of new elementary pupil places needed for primary class size reduction under subsection 45 (1) or under a predecessor of that subsection for a prior school board fiscal year,
- ii. debt incurred to finance the construction of new elementary pupil places or new secondary pupil places described in the plan submitted under subsection 46 (3) or under subsection 39 (15) of the 2006-2007 grant regulation in relation to the growth schools amount,
- iii. debt related to the amounts determined under sections 47, 48, 49 and 50 or under predecessors of those sections for a prior school board fiscal year, or
- iv. non-permanently financed debt or permanently financed debt, within the meaning of subsection 52 (2).

**(5) Paragraph 107 of subsection 44 (1) of the Regulation is revoked and the following substituted:**

107. Determine the portion of each capital project of the board that was wholly or partially funded with amounts calculated under this subsection or a predecessor of this subsection for a prior school board fiscal year, where capital projects are projects for purposes established under subsection 1 (2) of Ontario Regulation 446/98 and includes projects that have been constructed by August 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.

**(6) Subparagraphs 108 i, ii, iii and iv of subsection 44 (1) of the Regulation are revoked and the following substituted:**

- i. debt incurred to finance the construction of new elementary pupil places needed for primary class size reduction under subsection 45 (1) or under a predecessor of that subsection for a prior school board fiscal year,
- ii. debt incurred to finance the construction of new elementary pupil places or new secondary pupil places described in the plan submitted under subsection 46 (3) or under subsection 39 (15) of the 2006-2007 grant regulation in relation to the growth schools amount,
- iii. debt related to the amounts determined under sections 47, 48, 49 and 50 or under predecessors of those sections for a prior school board fiscal year, or
- iv. non-permanently financed debt or permanently financed debt, within the meaning of subsection 52 (2).

**(7) Paragraphs 110.1, 110.2 and 110.3 of subsection 44 (1) of the Regulation are revoked and the following substituted:**

- 110.1 Determine the debt service costs incurred in the 2007-2008 fiscal year in respect of the amount determined under subsection (4).
- 110.2 For each multi-year lease entered into on or before August 31, 2006 wholly or partly for the purpose of providing instructional space, other than for providing new pupil places needed for the primary class size reduction, determine the amount payable in the 2007-2008 fiscal year in relation to the provision of instructional space.
- 110.3 Total the amounts determined under paragraph 110.2 for all the multi-year leases described in that paragraph.
- 110.4 Total the amounts determined under paragraphs 110.1 and 110.3.
- 110.5 Take the lesser of the amounts determined under paragraph 110.4 and the amount determined in respect of the board under paragraph 100.2 of subsection 39 (11) of the 2006-2007 grant regulation.
- 110.6 Total the amounts determined under paragraphs 110 and 110.5.

**(8) Paragraph 112 of subsection 44 (1) of the Regulation is amended by striking out “paragraph 110.3” and substituting “paragraph 110.6”.**

**(9) Subparagraph 113 i of subsection 44 (1) of the Regulation is revoked and the following substituted:**

- i. Determine the number of the board's new pupil places to meet elementary enrolment pressures, as determined under subsection 51 (1) or a predecessor of that subsection, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
- i.1 Determine the number of the board's new elementary pupil places that are needed for the 2005 capital policy adjustment, set out in Column 2 of Table 17 opposite the name of the board, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
- i.2 Total the numbers determined under subparagraphs i and i.1.

**(10) Subparagraph 113 ii of subsection 44 (1) of the Regulation is amended by striking out “subparagraph i” and substituting “subparagraph i.2”.**



**(11) Subparagraph 113 v of subsection 44 (1) of the Regulation is revoked and the following substituted:**

- v. Determine the number of the board's new pupil places to meet secondary enrolment pressures, as determined under subsection 51 (3) or a predecessor of that subsection, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
- v.1 Determine the number of the board's new secondary pupil places that are needed for the 2005 capital policy adjustment, set out in Column 3 of Table 17 opposite the name of the board, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
- v.2 Total the numbers determined under subparagraphs v and v.1.

**(12) Subparagraph 113 vi of subsection 44 (1) of the Regulation is amended by striking out "subparagraph v" and substituting "subparagraph v.2".****(13) The definitions of "B" and "C" in paragraph 3 of subsection 44 (2) of the Regulation are revoked and the following substituted:**

"B" is the total of all transfers of \$100,000 or more made in the fiscal year to the board's proceeds of disposition reserve fund or to its reserve fund for the proceeds of disposition of schools that are prohibitive to repair, and

"C" is the amount of transfers from the board's proceeds of disposition reserve fund or from its reserve fund for the proceeds of disposition of schools that are prohibitive to repair that are authorized by resolutions of the board passed in the 2007-2008 fiscal year for the purpose of acquiring, before August 31, 2010, in fee simple, a proposed school site in respect of which the conditions set out in subsection (3) are met.

**(14) Section 44 of the Regulation is amended by adding the following subsections:****(4) The amount referred to in paragraph 110.1 of subsection (1) is determined as follows:**

1. Determine the debt, if any, incurred during the 2006-2007 and 2007-2008 fiscal years to acquire a school site in fee simple that provides pupil places that, immediately before the acquisition, were financed by leases described in paragraph 100.1 of subsection 39 (11) of the 2006-2007 grant regulation and entered into before August 31, 2006.
2. Determine the debt, if any, incurred during the 2006-2007 and 2007-2008 fiscal years to acquire a school site in fee simple that will provide pupil places to replace other pupil places, where, immediately before the acquisition, the pupil places being replaced were financed by leases described in paragraph 100.1 of subsection 39 (11) of the 2006-2007 grant regulation and entered into before August 31, 2006.
3. Total the amounts determined under paragraphs 1 and 2.

**(5) For purposes of paragraph 2 of subsection (4), a pupil place is considered to replace another pupil place if,**

- (a) in the case of an elementary school pupil place, it is located within 8 kilometres of the school site that provided the elementary school pupil place that is being replaced; or
- (b) in the case of a secondary school pupil place, it is located within 32 kilometres of the school site that provided the secondary school pupil place that is being replaced.

**6. (1) Paragraphs 3, 4, 5, 6 and 7 of subsection 46 (1) of the Regulation are revoked and the following substituted:**

3. Determine the costs incurred by the board before August 31, 2008 on the construction of new elementary pupil places and new secondary pupil places specified in the plan submitted under,
  - i. subsection 39 (15) of the 2006-2007 grant regulation, and
  - ii. subsection (3) of this section.
4. Take the lesser of,
  - i. the amount determined under paragraph 3, and
  - ii. the total of the amount determined under subsection 39 (14.1) of the 2006-2007 grant regulation and the amount determined under subsection (2).
5. Take the lesser of the amount determined under paragraph 4 and the amount set out in Column 2 of Table 17.1 opposite the name of the board.

**(2) Paragraph 8 of subsection 46 (1) of the Regulation is amended by striking out "paragraph 7" and substituting "paragraph 5".****(3) Paragraph 10 of subsection 46 (1) of the Regulation is amended by striking out "paragraph 7" and substituting "paragraph 5".**

(4) Paragraph 11.1 of subsection 46 (1) of the Regulation is revoked.

(5) Paragraph 12 of subsection 46 (1) of the Regulation is amended by striking out “paragraph 11.1” and substituting “paragraph 5”.

(6) Subsection 46 (2) of the Regulation is amended by striking out “paragraph 6” in the portion before paragraph 1 and substituting “subparagraph 4 ii”.

(7) Paragraphs 10, 11 and 12 of subsection 46 (2) of the Regulation are revoked.

(8) Subsection 46 (3) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(3) The following are conditions of the payment to a district school board of any part of the growth schools amount that relates to costs incurred in the 2007-2008 school board fiscal year:

7. Subparagraph 2 ii of section 48 of the Regulation is amended by striking out “the total of the amounts” and substituting “the amount”.

8. Paragraph 4 of subsection 51 (3) of the Regulation is amended by striking out “Table 19 or 20” and substituting “Table 20 or 21”.

9. (1) Sub-subparagraph 1 i B of subsection 58 (3) of the Regulation is amended by striking out “2006 calendar year” at the end and substituting “2007 calendar year”.

(2) Sub-subparagraph 1 ii B of subsection 58 (3) of the Regulation is amended by striking out “2007 calendar year” at the end and substituting “2008 calendar year”.

10. Table 5 of the Regulation is amended by adding the following items:

3.1	Conseil scolaire de district catholique des Aurores boréales	10768	Immaculée-Conception, E	Ignace	68.9	100,684
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4.1	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10784	École Catholique Ange-Gabriel Élémentaire	Brockville	40.6	115,805
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11. The Regulation is amended by adding the following Table:

TABLE/TABLEAU 9.1  
TRANSPORTATION ALLOCATION/ÉLÉMENT TRANSPORT DES ÉLÈVES

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	0
2.	Algonquin and Lakeshore Catholic District School Board	47,672
3.	Avon Maitland District School Board	0
4.	Bluewater District School Board	0
5.	Brant Haldimand Norfolk Catholic District School Board	0
6.	Bruce-Grey Catholic District School Board	106,651
7.	Catholic District School Board of Eastern Ontario	0
8.	Conseil scolaire de district catholique de l'est Ontarien	0
9.	Conseil scolaire de district catholique Centre-Sud	1,036,397
10.	Conseil scolaire de district catholique des Aurores boréales	0
11.	Conseil scolaire de district catholique des Grandes Rivières	0
12.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	332,287
13.	Conseil scolaire de district catholique du Nouvel-Ontario	0
14.	Conseil scolaire de district catholique Franco-Nord	173,103
15.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	159,053



Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
16.	Conseil scolaire de district des écoles publiques de langue française n° 59	618,537
17.	Conseil scolaire de district du Centre Sud-Ouest	567,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	175,815
19.	Conseil scolaire de district du Nord-Est de l'Ontario	92,197
20.	District School Board of Niagara	1,773,119
21.	District School Board Ontario North East	0
22.	Dufferin Peel Catholic District School Board	605,298
23.	Durham Catholic District School Board	536,011
24.	Durham District School Board	0
25.	English-language Separate District School Board No. 38	861,340
26.	Grand Erie District School Board	1,103,502
27.	Greater Essex County District School Board	58,599
28.	Halton Catholic District School Board	0
29.	Halton District School Board	0
30.	Hamilton-Wentworth Catholic District School Board	637,119
31.	Hamilton-Wentworth District School Board	746,716
32.	Hastings and Prince Edward District School Board	236,847
33.	Huron-Perth Catholic District School Board	0
34.	Huron-Superior Catholic District School Board	0
35.	Kawartha Pine Ridge District School Board	1,791,710
36.	Keewatin-Patricia District School Board	0
37.	Kenora Catholic District School Board	0
38.	Lakehead District School Board	0
39.	Lambton Kent District School Board	2,255
40.	Limestone District School Board	834,352
41.	Near North District School Board	0
42.	Niagara Catholic District School Board	1,570,676
43.	Nipissing-Parry Sound Catholic District School Board	222,504
44.	Northeastern Catholic District School Board	91,077
45.	Northwest Catholic District School Board	0
46.	Ottawa Catholic District School Board	0
47.	Ottawa-Carleton District School Board	0
48.	Peel District School Board	1,112,424
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	0
50.	Rainbow District School Board	0
51.	Rainy River District School Board	0
52.	Renfrew County Catholic District School Board	0
53.	Renfrew County District School Board	601,877
54.	Simcoe County District School Board	0
55.	Simcoe Muskoka Catholic District School Board	0
56.	St. Clair Catholic District School Board	0
57.	Sudbury Catholic District School Board	0
58.	Superior North Catholic District School Board	0
59.	Superior-Greenstone District School Board	0
60.	Thames Valley District School Board	3,052,518
61.	Thunder Bay Catholic District School Board	0
62.	Toronto Catholic District School Board	0
63.	Toronto District School Board	0
64.	Trillium Lakelands District School Board	0
65.	Upper Canada District School Board	0
66.	Upper Grand District School Board	0
67.	Waterloo Catholic District School Board	0
68.	Waterloo Region District School Board	0
69.	Wellington Catholic District School Board	0
70.	Windsor-Essex Catholic District School Board	0
71.	York Catholic District School Board	0
72.	York Region District School Board	0

12. Table 16 of the Regulation is revoked and the following substituted:



TABLE/TABLEAU 16

GOOD PLACES TO LEARN — MAXIMUM ALLOCATIONS/LIEUX PROPICES À L'APPRENTISSAGE —  
ALLOCATIONS MAXIMALES

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
1.	Algoma District School Board	8,566,032	4,995,267	7,419,175
2.	Algonquin and Lakeshore Catholic District School Board	5,520,784	2,676,460	2,383,944
3.	Avon Maitland District School Board	15,736,931	7,232,322	5,376,929
4.	Bluewater District School Board	14,384,686	7,146,043	6,704,892
5.	Brant Haldimand Norfolk Catholic District School Board	3,736,736	2,002,838	1,705,600
6.	Bruce-Grey Catholic District School Board	1,451,485	980,893	481,320
7.	Catholic District School Board of Eastern Ontario	6,219,937	2,530,733	2,803,289
8.	Conseil de district des écoles publiques de langue française n° 59	6,274,889	3,040,271	1,353,552
9.	Conseil scolaire de district catholique Centre-Sud	6,572,429	2,538,560	6,191,446
10.	Conseil scolaire de district catholique de l'est Ontarien	11,052,079	3,202,518	5,921,700
11.	Conseil scolaire de district catholique des Aurores boréales	538,819	232,311	169,689
12.	Conseil scolaire de district catholique des Grandes Rivières	5,044,082	3,143,085	1,657,108
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	7,471,767	4,982,994	3,912,531
14.	Conseil scolaire de district catholique du Nouvel-Ontario	7,658,633	3,747,791	3,263,607
15.	Conseil scolaire de district catholique Franco-Nord	3,572,837	1,202,050	2,044,028
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3,964,416	2,365,391	1,070,885
17.	Conseil scolaire de district du Centre Sud-Ouest	7,607,684	5,955,460	2,361,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	2,556,615	1,940,285	1,322,770
19.	Conseil scolaire de district du Nord-Est de l'Ontario	387,631	1,314,211	0
20.	District School Board of Niagara	49,974,365	20,969,450	22,693,835
21.	District School Board Ontario North East	5,600,507	4,389,318	1,517,577
22.	Dufferin-Peel Catholic District School Board	13,249,338	5,360,022	11,266,617
23.	Durham Catholic District School Board	2,785,579	2,462,113	1,809,156
24.	Durham District School Board	34,178,196	15,905,348	17,534,183
25.	English-language Separate District School Board No. 38	5,753,149	3,337,905	2,003,443
26.	Grand Erie District School Board	19,857,897	10,108,540	6,694,066
27.	Greater Essex County District School Board	27,319,674	11,876,531	8,611,374
28.	Halton Catholic District School Board	1,557,316	1,495,894	644,331
29.	Halton District School Board	20,243,575	11,833,447	8,180,503
30.	Hamilton-Wentworth Catholic District School Board	7,963,970	3,543,147	2,662,646
31.	Hamilton-Wentworth District School Board	34,103,412	16,283,534	14,648,604
32.	Hastings and Prince Edward District School Board	17,758,146	8,352,536	7,638,914
33.	Huron-Perth Catholic District School Board	1,120,758	954,589	590,500
34.	Huron-Superior Catholic District School Board	3,534,484	2,344,354	199,705
35.	Kawartha Pine Ridge District School Board	20,046,679	11,577,316	18,200,735
36.	Keewatin-Patricia District School Board	4,196,161	1,811,632	1,028,679
37.	Kenora Catholic District School Board	389,401	60,746	0
38.	Lakehead District School Board	5,722,015	2,783,056	799,483
39.	Lambton Kent District School Board	13,930,892	6,933,649	6,151,066
40.	Limestone District School Board	23,041,672	8,953,728	8,659,567
41.	Near North District School Board	11,422,809	6,209,331	5,922,960
42.	Niagara Catholic District School Board	17,271,446	7,079,291	5,987,964
43.	Nipissing-Parry Sound Catholic District School Board	2,910,248	819,592	792,532

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
44.	Northeastern Catholic District School Board	593,601	692,687	550,149
45.	Northwest Catholic District School Board	242,004	163,826	100,829
46.	Ottawa-Carleton District School Board	47,997,615	18,638,960	17,876,347
47.	Ottawa Catholic District School Board	19,644,533	8,873,966	8,371,051
48.	Peel District School Board	53,515,740	25,922,763	23,378,042
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2,272,590	1,159,124	174,670
50.	Rainbow District School Board	11,348,912	6,026,504	4,736,184
51.	Rainy River District School Board	1,072,658	1,066,887	516,235
52.	Renfrew County Catholic District School Board	2,319,798	1,520,769	1,597,920
53.	Renfrew County District School Board	8,592,082	6,465,615	4,625,447
54.	Simcoe County District School Board	33,557,187	16,685,935	12,654,293
55.	Simcoe Muskoka Catholic District School Board	6,079,445	3,280,954	1,828,933
56.	St. Clair Catholic District School Board	3,943,656	2,462,347	1,161,122
57.	Sudbury Catholic District School Board	6,629,471	2,849,310	5,220,185
58.	Superior North Catholic District School Board	1,444,496	625,173	614,534
59.	Superior-Greenstone District School Board	1,498,725	970,022	5,079,834
60.	Thames Valley District School Board	41,210,971	23,246,092	18,216,569
61.	Thunder Bay Catholic District School Board	5,609,488	2,730,208	1,554,277
62.	Toronto Catholic District School Board	39,166,136	19,890,934	15,478,683
63.	Toronto District School Board	175,426,757	97,246,244	98,415,289
64.	Trillium Lakelands District School Board	5,818,110	3,415,222	3,383,560
65.	Upper Canada District School Board	10,847,832	8,902,213	8,849,873
66.	Upper Grand District School Board	15,277,490	7,319,709	5,015,878
67.	Waterloo Catholic District School Board	6,082,548	3,513,738	2,377,127
68.	Waterloo Region District School Board	24,732,097	13,047,178	10,325,843
69.	Wellington Catholic District School Board	1,461,091	1,216,228	799,551
70.	Windsor-Essex Catholic District School Board	8,094,232	4,684,843	5,249,917
71.	York Catholic District School Board	10,423,811	5,678,045	3,626,725
72.	York Region District School Board	27,532,179	15,940,140	27,902,213

**13. (1) Item 28 of Table 17.1 of the Regulation is revoked and the following substituted:**

28.	Halton Catholic District School Board	28,650,513
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**(2) Item 47 of Table 17.1 of the Regulation is revoked and the following substituted:**

47.	Ottawa Catholic District School Board	26,292,446
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**(3) Item 49 of Table 17.1 of the Regulation is revoked and the following substituted:**

49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	12,725,832
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**14. Item 1 of Table 19 of the Regulation is revoked.**

**15. Table 20 of the Regulation is amended by adding the following item:**

26.	Thames Valley District School Board	5684	Strathroy CI	Strathroy-Caradoc
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**16. Table 21 of the Regulation is revoked and the following substituted:**



TABLE/TABLEAU 21

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE 2/ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N° 2)

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
1.	Algoma District School Board	5223		Bawating C & VS	Sault Ste. Marie	52,820,080
2.	Algoma District School Board	5645		Sir James Dunn C & VS	Sault Ste. Marie	
3.	Algoma District School Board	9573	Bawating C & V.S.		Sault Ste. Marie	
4.	Algoma District School Board	10893	Bawating Intermediate		Sault Ste. Marie	
5.	Algoma District School Board	848	Francis H Clergue Public School		Sault Ste. Marie	
6.	Algoma District School Board	2035	Rosedale Public School		Sault Ste. Marie	
7.	Algoma District School Board	7599		Hornepayne High School	Hornepayne	
8.	Algoma District School Board	7598		Hornepayne High School Annex	Hornepayne	
9.	Algonquin and Lakeshore Catholic District School Board	9229	Sacred Heart Catholic School Marmora		Marmora and Lake	9,374,708
10.	Algonquin and Lakeshore Catholic District School Board	9222	St. Michael CES		Belleville	
11.	Avon Maitland District School Board	1661	Arthur Meighen PS		St. Marys	4,831,328
12.	Avon Maitland District School Board	396	St. Mary's Central PS		St. Marys	
13.	Bluewater District School Board	1177	James A. Magee		Hanover	6,847,763
14.	Brant Haldimand Norfolk Catholic District School Board	3513	Our Lady of Fatima Sep School		Brantford	5,934,159
15.	Brant Haldimand Norfolk Catholic District School Board	4026	St. Jean de Brebeuf Sep S		Brantford	
16.	Bruce-Grey Catholic District School Board	3786		St. Mary's High School	Owen Sound	3,709,406
17.	Catholic District School Board of Eastern Ontario	4138	St. Joseph SS / Prescott		Prescott	9,958,654
18.	Catholic District School Board of Eastern Ontario	4222	St. Mark		Prescott	
19.	Catholic District School Board of Eastern Ontario	3368	St. Joseph Catholic School / Toledo		Elizabethtown - Kitley	
20.	Catholic District School Board of Eastern Ontario	9292	Mother Teresa Annex		Russell	3,463,096
21.	Conseil de district des écoles publiques de langue française n° 59	1628	Ecole Madeleine- de-Roybon		Kingston	
22.	Conseil scolaire de district catholique de l'Est ontarien	6204	Ecole St-Gregoire		Champlain	10,686,413
23.	Conseil scolaire de district catholique de l'Est ontarien	3627	Saint-Jean, E. Sep		Russell	
24.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3430	École élémentaire Montfort		Ottawa	9,028,785



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
25.	Conseil scolaire de district catholique Franco-Nord	3628	Echo-jeunesse, E. Sep		West Nipissing	17,279,243
26.	Conseil scolaire de district catholique Franco-Nord	3663	St. Joseph		West Nipissing	
27.	Conseil scolaire de district catholique Franco Nord	4547	Ecole Saint-Anne		North Bay	
28.	Conseil scolaire de district catholique Franco Nord	4387	Ecole Saint Paul		North Bay	
29.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	4066	École St-jean- Baptiste		Amhurstburg	6,045,440
30.	Conseil scolaire de district du Grand Nord de l'Ontario	9946	École publique Camille-Perron (leased)		Markstay-Warren	2,812,799
31.	District School Board of Niagara	489	Colonel John Butler PS		Niagara-On-The- Lake	9,107,214
32.	District School Board of Niagara	2391	Virgil PS		Niagara-On-The- Lake	
33.	District School Board of Niagara	1923	Queen Mary Public School		St. Catharines	
34.	Durham Catholic District School Board	8775	St. Bernadette CS		Ajax	8,904,137
35.	English-language Separate District School Board No. 38	3537	Our Lady of Lourdes Catholic Elementary School		Middlesex Centre	6,184,099
36.	Grand Erie District School Board	5304		Delhi District SS	Norfolk County	25,430,022
37.	Grand Erie District School Board	5243		Brantford Collegiate Institute & Vocational School	Brantford	
38.	Greater Essex County District School Board	7803		Leamington District SS	Leamington	30,980,472
39.	Greater Essex County District School Board	5358		Essex District HS	Essex	
40.	Greater Essex County District School Board	1163	J E Benson Public School		Windsor	
41.	Greater Essex County District School Board	1200	John Campbell Public School		Windsor	
42.	Halton Catholic District School Board	8104		St. Thomas Aquinas Catholic Secondary School	Oakville	14,284,098
43.	Halton District School Board	1314	Lakeshore PS		Burlington	3,188,676
44.	Hamilton-Wentworth Catholic District School Board	4496	St. Thomas CES		Hamilton	3,947,195
45.	Hamilton-Wentworth District School Board	8026	Lawfield		Hamilton	25,447,568
46.	Hamilton-Wentworth District School Board	8089	Vern Ames		Hamilton	
47.	Hamilton-Wentworth District School Board	8085	Stinson Street		Hamilton	
48.	Hamilton-Wentworth District School Board	8064	Queen Victoria		Hamilton	
49.	Hamilton-Wentworth District School Board	8075	Sanford Avenue		Hamilton	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
50.	Huron-Superior Catholic District School Board	6326		Mount St. Joseph College	Sault Ste. Marie	1,626,562
51.	Huron-Superior Catholic District School Board	3781		St. Basil	Sault Ste. Marie	
52.	Kawartha Pine Ridge District School Board	86	Apsely PS		North Kawartha	8,897,110
53.	Kawartha Pine Ridge District School Board	405	Central PS		Port Hope	
54.	Kawartha Pine Ridge District School Board	1112	Howard Jordan PS		Port Hope	
55.	Kawartha Pine Ridge District School Board	2584	Youngs Point PS		Cramahe	
56.	Keewatin-Patricia District School Board	1740	Oxdrift PS		Dryden Locality Education (assessment roll numbers beginning with "6096")	1,275,954
57.	Kenora Catholic District School Board	10543	St. Thomas Aquinas Annex		Kenora	3,089,151
58.	Lakehead District School Board	7559		Hillcrest High School	Thunder Bay	26,590,633
59.	Lakehead District School Board	7594		Port Arthur Collegiate Institute	Thunder Bay	
60.	Lambton Kent District School Board	581	Devine Street School		Sarnia	7,286,125
61.	Lambton Kent District School Board	1221	Johnston Memorial School		Sarnia	
62.	Near North District School Board	5668		Almaguin Highland SS	South River	18,691,312
63.	Niagara Catholic District School Board	7973	St. Joseph		Grimsby	8,685,439
64.	Niagara Catholic District School Board	7980	Our Lady of Fatima		Grimsby	
65.	Nipissing-Parry Sound Catholic DSB	5985	St. Theresa Catholic School		East Ferris	12,162,827
66.	Nipissing-Parry Sound Catholic DSB	3652	Sacred Heart Separate School		North Bay	
67.	Nipissing-Parry Sound Catholic DSB	4114	St. Joseph Separate School		North Bay	
68.	Nipissing-Parry Sound Catholic DSB	3999	St. Hubert Separate School		North Bay	
69.	Ottawa-Carleton District School Board	819	Fitzroy Centennial Public School		Ottawa	6,709,747
70.	Ottawa-Carleton District School Board	10140	Fitzroy Harbour Public School		Ottawa	
71.	Ottawa-Carleton District School Board	1655	Kars Public School		Ottawa	
72.	Peel District School Board	1749	Palgrave PS		Caledon	11,804,544
73.	Peel District School Board	338	Castlemore PS		Brampton	
74.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9267	St. Mary's School		Port Hope	1,925,445
75.	Rainbow District School Board	996	Markstay Public School		Markstay-Warren	8,499,915

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
76.	Rainbow District School Board	9623	Warren Public School		Markstay-Warren	
77.	Rainbow District School Board	207	Val Caron Public School		Greater Sudbury	
78.	Rainbow District School Board	2360	Valleyview Public School		Greater Sudbury	
79.	Rainy River District School Board	9397	Alexander Mackenzie School		Fort Frances	
80.	Rainy River District School Board	9380	J W Walker PS		Fort Frances	15,349,466
81.	Rainy River District School Board	9378	F H Huffman PS		Fort Frances	
82.	Rainy River District School Board	9384	Robert Moore PS		Fort Frances	
83.	Simcoe County District School Board	8151	King Edward PS		Barrie	
84.	Simcoe County District School Board	8157	Mount Slaven PS		Orillia	33,756,449
85.	Simcoe County District School Board	8165	Parkview PS		Midland	
86.	Simcoe County District School Board	8168	Prince of Wales PS		Barrie	
87.	Simcoe County District School Board	8171	Regent PS		Midland	
88.	Simcoe County District School Board	8207	David H. Church PS		Orillia	
89.	Simcoe County District School Board	8142	Hillcrest PS		Orillia	
90.	Simcoe County District School Board	8193	Baxter Annex		Essa	
91.	Simcoe Muskoka Catholic District School Board	8324	St. Paul's Alliston		New Tecumseth	9,144,720
92.	Simcoe Muskoka Catholic District School Board	8291		Holy Trinity SS	Bradford West Gwillimbury	
93.	St. Clair Catholic District School Board	3791	St. Benedict Catholic School		Sarnia	4,245,449
94.	Thames Valley District School Board	323	Caradoc South PS		Strathroy-Caradoc	14,153,720
95.	Thames Valley District School Board	630	Drumbo PS		Blandford- Blenheim	
96.	Thames Valley District School Board	1890	Princeton PS		Blandford- Blenheim	
97.	Thames Valley District School Board	5897	Elmdale PS		St. Thomas	
98.	Thames Valley District School Board	1599	Myrtle Street PS		St. Thomas	
99.	Thames Valley District School Board	2443	Wellington PS		St. Thomas	
100.	Thunder Bay Catholic District School Board	3653	Sacred Heart		Thunder Bay	8,309,883
101.	Thunder Bay Catholic District School Board	4500	St. Thomas Aquinas		Thunder Bay	
102.	Toronto Catholic District School Board	9512	St. Edward		Toronto	2,608,917



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
103.	Trillium Lakelands District School Board	1597	Muskoka Falls PS		Bracebridge	3,478,556
104.	Upper Canada District School Board	5716		Vankleek Hill C.I.	Champlain	10,821,286
105.	Upper Grand District School Board	1211	John McCrae PS		Guelph	16,762,241
106.	Upper Grand District School Board	1276	King George PS		Guelph	
107.	Upper Grand District School Board	2342	Tytler PS		Guelph	
108.	Upper Grand District School Board	1024	Harriston PS		Minto	
109.	Waterloo Region District School Board	2073	Ryerson		Cambridge	5,472,928
110.	Waterloo Region District School Board	829	Floradale		Woolwich	
111.	Wellington Catholic District School Board	4102	St. Joseph Elem.		Guelph	5,076,920
112.	York Catholic District School Board	3638	Holy Name Catholic Elementary School		King	6,828,276
113.	York Catholic District School Board	4252	St. Mary Immaculate School		Richmond Hill	
114.	York Region District School Board	5509		Markham District High School	Markham	34,551,242
115.	York Region District School Board	1285	King City PS		King	
116.	York Region District School Board	6351	Eva L. Building		King	

17. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 81/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 2 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008

modifiant le Règl. de l'Ont. 152/07

(Subventions pour les besoins des élèves — subventions générales pour l'exercice 2007-2008 des conseils scolaires)

Remarque : Le Règlement de l'Ontario 152/07 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

#### 1. Le paragraphe 3 (6) du Règlement de l'Ontario 152/07 est abrogé et remplacé par ce qui suit :

(6) Le public peut consulter aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère le document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 1», qui est mentionné à l'alinéa 43 (2) a), celui intitulé «Lieux propices à l'apprentissage : Allocation de la phase 2», qui est mentionné à l'alinéa 43 (3) a) et celui intitulé «Lieux propices à l'apprentissage : Allocation de la phase 3», qui est mentionné à l'alinéa 43 (4) a).

**2. La disposition 6 de l'article 37 du Règlement est abrogée et remplacée par ce qui suit :**

6. Ajouter la somme indiquée en regard du nom du conseil à la colonne 2 du tableau 9.1 au total des sommes calculées en application des dispositions 2 et 5.

**3. La disposition 4 du paragraphe 38 (5) du Règlement est abrogée et remplacée par ce qui suit :**

4. Ajouter 0,62 pour cent de la somme indiquée à la colonne 2 du tableau 7 en regard du nom du conseil.

**4. (1) Le paragraphe 43 (1) du Règlement est modifié par adjonction des dispositions suivantes :**

- 4.1 Calculer la portion du coût des travaux de réfection urgents et importants visés au paragraphe (4), indiqué à la colonne 4 du tableau 16 en regard du nom du conseil, que le conseil a engagée pendant chacun des exercices 2006-2007 et 2007-2008 à l'égard des travaux de construction ou de rénovation les concernant qui ont été entrepris au plus tôt le 1<sup>er</sup> janvier 2007.
- 4.2 Additionner les portions calculées en application de la disposition 4.1 pour chacun des deux exercices.

**(2) La disposition 5 du paragraphe 43 (1) du Règlement est abrogée et remplacée par ce qui suit :**

5. Additionner les sommes calculées en application des dispositions 2, 4 et 4.2.

**(3) L'article 43 du Règlement est modifié par adjonction du paragraphe suivant :**

(4) Pour l'application de la disposition 4.1 du paragraphe (1), les travaux de réfection urgents et importants s'entendent des travaux qui réunissent les conditions suivantes :

- a) ils sont effectués dans les écoles du conseil indiquées à l'annexe B du document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 3», que l'on peut consulter de la manière indiquée au paragraphe 3 (6);
- b) le ministre les a approuvés individuellement, comme l'indique le document mentionné à l'alinéa a), au motif qu'ils répondaient chacun à des besoins de réfection urgents et importants dans l'école concernée.

**5. (1) La disposition 9 du paragraphe 44 (1) du Règlement est modifiée par insertion de «ou d'une disposition qu'elle remplace à l'égard d'un exercice antérieur» à la fin de la disposition.**

**(2) La disposition 58 du paragraphe 44 (1) du Règlement est modifiée par insertion de «ou d'une disposition qu'elle remplace à l'égard d'un exercice antérieur» à la fin de la disposition.**

**(3) La disposition 99 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :**

99. Calculer la part de chacun des travaux d'immobilisations du conseil, à savoir les travaux effectués aux fins visées au paragraphe 1 (2) du Règlement de l'Ontario 446/98 (Fonds de réserve) pris en application de la Loi, y compris les travaux achevés le 31 août 2008, ceux en cours de construction à cette date ou ceux pour lesquels le conseil a attribué un contrat de construction au plus tard à la même date, qui était financée en totalité ou en partie à l'aide de sommes calculées en application du présent paragraphe ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur.

**(4) Les sous-dispositions 100 i, ii, iii et iv du paragraphe 44 (1) du Règlement sont abrogées et remplacées par ce qui suit :**

- i. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire occasionnées par la baisse de l'effectif des classes du cycle primaire en application du paragraphe 45 (1) ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur,
- ii. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire ou au secondaire qui sont mentionnées dans le plan présenté en application du paragraphe 46 (3), ou en application du paragraphe 39 (15) du règlement sur les subventions de 2006-2007, en ce qui concerne la somme liée aux écoles des quartiers à forte croissance,
- iii. la dette liée aux sommes calculées en application des articles 47, 48, 49 et 50 ou de dispositions qu'ils remplacent à l'égard d'un exercice antérieur,
- iv. la dette avec ou sans financement permanent, au sens du paragraphe 52 (2).

**(5) La disposition 107 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :**

107. Calculer la part de chacun des travaux d'immobilisations du conseil, à savoir les travaux effectués aux fins visées au paragraphe 1 (2) du Règlement de l'Ontario 446/98, y compris les travaux achevés le 31 août 2006, ceux en cours de construction à cette date ou ceux pour lesquels le conseil a attribué un contrat de construction au plus tard à la même date, qui était financée en totalité ou en partie à l'aide de sommes calculées en application du présent paragraphe ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur.

**(6) Les sous-dispositions 108 i, ii, iii et iv du paragraphe 44 (1) du Règlement sont abrogées et remplacées par ce qui suit :**



- i. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire occasionnées par la baisse de l'effectif des classes du cycle primaire en application du paragraphe 45 (1) ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur,
- ii. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire ou au secondaire qui sont mentionnées dans le plan présenté en application du paragraphe 46 (3), ou en application du paragraphe 39 (15) du règlement sur les subventions de 2006-2007, en ce qui concerne la somme liée aux écoles des quartiers à forte croissance,
- iii. la dette liée aux sommes calculées en application des articles 47, 48, 49 et 50 ou de dispositions qu'ils remplacent à l'égard d'un exercice antérieur,
- iv. la dette avec ou sans financement permanent, au sens du paragraphe 52 (2).

**(7) Les dispositions 110.1, 110.2 et 110.3 du paragraphe 44 (1) du Règlement sont abrogées et remplacées par ce qui suit :**

- 110.1 Calculer les frais annuels de service de la dette engagés au cours de l'exercice 2007-2008 à l'égard de la somme calculée en application du paragraphe (4).
- 110.2 Pour chaque bail pluriannuel conclu au plus tard le 31 août 2006 entièrement ou en partie afin de fournir des aires d'enseignement, à l'exclusion des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, calculer la somme payable pendant l'exercice 2007-2008 à l'égard de la fourniture d'aires d'enseignement.
- 110.3 Additionner les sommes calculées en application de la disposition 110.2 pour tous les baux pluriannuels visés à cette disposition.
- 110.4 Additionner les sommes calculées en application des dispositions 110.1 et 110.3.
- 110.5 Prendre la moindre de la somme calculée en application de la disposition 110.4 et de celle calculée à l'égard du conseil en application de la disposition 100.2 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007.
- 110.6 Additionner les sommes calculées en application des dispositions 110 et 110.5.

**(8) La disposition 112 du paragraphe 44 (1) du Règlement est modifiée par substitution de «disposition 110.6» à «disposition 110.3».**

**(9) La sous-disposition 113 i du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :**

- i. Calculer le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé en application du paragraphe 51 (1) ou d'une disposition qu'il remplace, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- i.1 Calculer le nombre de nouvelles places à l'élémentaire nécessaires au titre du redressement des immobilisations en 2005, indiqué à la colonne 2 du tableau 17 en regard du nom du conseil, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- i.2 Additionner les nombres obtenus en application des sous-dispositions i et i.1.

**(10) La sous-disposition 113 ii du paragraphe 44 (1) du Règlement est modifiée par substitution de «sous-disposition i.2» à «sous-disposition i».**

**(11) La sous-disposition 113 v du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :**

- v. Calculer le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé en application du paragraphe 51 (3) ou d'une disposition qu'il remplace, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- v.1 Calculer le nombre de nouvelles places au secondaire nécessaires au titre du redressement des immobilisations en 2005, indiqué à la colonne 3 du tableau 17 en regard du nom du conseil, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- v.2 Additionner les nombres obtenus en application des sous-dispositions v et v.1.

**(12) La sous-disposition 113 vi du paragraphe 44 (1) du Règlement est modifiée par substitution de «sous-disposition v.2» à «sous-disposition v».**

**(13) Les définitions des éléments «B» et «C» à la disposition 3 du paragraphe 44 (2) du Règlement sont abrogées et remplacées par ce qui suit :**



«B» représente le total de toutes les sommes de 100 000 \$ ou plus qui ont été virées au cours de l'exercice au fonds de réserve du produit de disposition du conseil ou à son fonds de réserve du produit de disposition des écoles dont le coût des réparations est prohibitif;

«C» représente le montant des virements du fonds de réserve du produit de disposition du conseil ou de son fonds de réserve du produit de disposition des écoles dont le coût des réparations est prohibitif qui sont autorisés par des résolutions qu'il a adoptées au cours de l'exercice 2007-2008 aux fins de l'acquisition en fief simple, avant le 31 août 2010, d'un emplacement scolaire proposé à l'égard duquel les conditions énoncées au paragraphe (3) sont respectées.

**(14) L'article 44 du Règlement est modifié par adjonction des paragraphes suivants :**

(4) La somme visée à la disposition 110.1 du paragraphe (1) est calculée de la manière suivante :

1. Calculer la dette contractée, le cas échéant, au cours des exercices 2006-2007 et 2007-2008 pour l'acquisition d'un emplacement scolaire en fief simple qui fournit des places dans les cas où, immédiatement avant l'acquisition, les places étaient financées au moyen de baux visés à la disposition 100.1 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007 et conclus avant le 31 août 2006.
2. Calculer la dette contractée, le cas échéant, au cours des exercices 2006-2007 et 2007-2008 pour l'acquisition d'un emplacement scolaire en fief simple qui fournira de nouvelles places pour remplacer des places existantes dans les cas où, immédiatement avant l'acquisition, les places remplacées étaient financées au moyen de baux visés à la disposition 100.1 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007 et conclus avant le 31 août 2006.
3. Additionner les sommes calculées en application des dispositions 1 et 2.

(5) Pour l'application de la disposition 2 du paragraphe (4), une place en remplace une autre dans les cas suivants :

- a) s'il s'agit d'une place à l'élémentaire, elle est située dans un rayon de 8 kilomètres de l'emplacement scolaire qui fournissait l'autre place;
- b) s'il s'agit d'une place au secondaire, elle est située dans un rayon de 32 kilomètres de l'emplacement scolaire qui fournissait l'autre place.

**6. (1) Les dispositions 3, 4, 5, 6 et 7 du paragraphe 46 (1) du Règlement sont abrogées et remplacées par ce qui suit :**

3. Additionner les frais que le conseil a engagés avant le 31 août 2008 afin d'aménager les nouvelles places à l'élémentaire et au secondaire qui sont précisées dans les plans présentés en application des dispositions suivantes :
  - i. le paragraphe 39 (15) du règlement sur les subventions de 2006-2007,
  - ii. le paragraphe (3) du présent article.
4. Prendre la moindre des sommes suivantes :
  - i. la somme calculée en application de la disposition 3,
  - ii. le total de la somme calculée en application du paragraphe 39 (14.1) du règlement sur les subventions de 2006-2007 et de celle calculée en application du paragraphe (2).
5. Prendre la moindre de la somme calculée en application de la disposition 4 et de celle indiquée à la colonne 2 du tableau 17.1 en regard du nom du conseil.

**(2) La disposition 8 du paragraphe 46 (1) du Règlement est modifiée par substitution de «disposition 5» à «disposition 7».**

**(3) La disposition 10 du paragraphe 46 (1) du Règlement est modifiée par substitution de «disposition 5» à «disposition 7».**

**(4) La disposition 11.1 du paragraphe 46 (1) du Règlement est abrogée.**

**(5) La disposition 12 du paragraphe 46 (1) du Règlement est modifiée par substitution de «disposition 5» à «disposition 11.1».**

**(6) Le paragraphe 46 (2) du Règlement est modifié par substitution de «sous-disposition 4 ii» à «disposition 6» dans le passage qui précède la disposition 1.**

**(7) Les dispositions 10, 11 et 12 du paragraphe 46 (2) du Règlement sont abrogées.**

**(8) Le paragraphe 46 (3) du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :**

(3) Le versement, à un conseil scolaire de district, de toute portion de la somme liée aux écoles des quartiers à forte croissance qui se rapporte à des frais engagés au cours de l'exercice 2007-2008 est assujéti au respect des obligations suivantes :

7. La sous-disposition 2 ii de l'article 48 du Règlement est modifiée par substitution de «la somme indiquée» à «le total des sommes indiquées».

8. La disposition 4 du paragraphe 51 (3) du Règlement est modifiée par substitution de «tableau 20 ou 21» à «tableau 19 ou 20» à la fin de la disposition.

9. (1) La sous-sous-disposition 1 i B du paragraphe 58 (3) du Règlement est modifiée par substitution de «l'année civile 2007» à «l'année civile 2006» à la fin de la sous-sous-disposition.

(2) La sous-sous-disposition 1 ii B du paragraphe 58 (3) du Règlement est modifiée par substitution de «l'année civile 2008» à «l'année civile 2007» à la fin de la sous-sous-disposition.

10. Le tableau 5 du Règlement est modifié par adjonction des points suivants :

3.1	Conseil scolaire de district catholique des Aurores boréales	10768	Immaculée-Conception, E		Ignace	68.9	100,684
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4.1	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10784	École Catholique Ange-Gabriel Élémentaire		Brockville	40.6	115,805
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11. Le Règlement est modifié par adjonction du tableau suivant :

TABLE/TABLEAU 9.1  
TRANSPORTATION ALLOCATION/ÉLÉMENT TRANSPORT DES ÉLÈVES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
1.	Algoma District School Board	0
2.	Algonquin and Lakeshore Catholic District School Board	47,672
3.	Avon Maitland District School Board	0
4.	Bluewater District School Board	0
5.	Brant Haldimand Norfolk Catholic District School Board	0
6.	Bruce-Grey Catholic District School Board	106,651
7.	Catholic District School Board of Eastern Ontario	0
8.	Conseil scolaire de district catholique de l'est Ontarien	0
9.	Conseil scolaire de district catholique Centre-Sud	1,036,397
10.	Conseil scolaire de district catholique des Aurores boréales	0
11.	Conseil scolaire de district catholique des Grandes Rivières	0
12.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	332,287
13.	Conseil scolaire de district catholique du Nouvel-Ontario	0
14.	Conseil scolaire de district catholique Franco-Nord	173,103
15.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	159,053
16.	Conseil scolaire de district des écoles publiques de langue française n° 59	618,537
17.	Conseil scolaire de district du Centre Sud-Ouest	567,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	175,815
19.	Conseil scolaire de district du Nord-Est de l'Ontario	92,197
20.	District School Board of Niagara	1,773,119
21.	District School Board Ontario North East	0
22.	Dufferin Peel Catholic District School Board	605,298
23.	Durham Catholic District School Board	536,011
24.	Durham District School Board	0
25.	English-language Separate District School Board No. 38	861,340
26.	Grand Erie District School Board	1,103,502
27.	Greater Essex County District School Board	58,599
28.	Halton Catholic District School Board	0
29.	Halton District School Board	0
30.	Hamilton-Wentworth Catholic District School Board	637,119



Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
31.	Hamilton-Wentworth District School Board	746,716
32.	Hastings and Prince Edward District School Board	236,847
33.	Huron-Perth Catholic District School Board	0
34.	Huron-Superior Catholic District School Board	0
35.	Kawartha Pine Ridge District School Board	1,791,710
36.	Keeewatin-Patricia District School Board	0
37.	Kenora Catholic District School Board	0
38.	Lakehead District School Board	0
39.	Lambton Kent District School Board	2,255
40.	Limestone District School Board	834,352
41.	Near North District School Board	0
42.	Niagara Catholic District School Board	1,570,676
43.	Nipissing-Parry Sound Catholic District School Board	222,504
44.	Northeastern Catholic District School Board	91,077
45.	Northwest Catholic District School Board	0
46.	Ottawa Catholic District School Board	0
47.	Ottawa-Carleton District School Board	0
48.	Peel District School Board	1,112,424
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	0
50.	Rainbow District School Board	0
51.	Rainy River District School Board	0
52.	Renfrew County Catholic District School Board	0
53.	Renfrew County District School Board	601,877
54.	Simcoe County District School Board	0
55.	Simcoe Muskoka Catholic District School Board	0
56.	St. Clair Catholic District School Board	0
57.	Sudbury Catholic District School Board	0
58.	Superior North Catholic District School Board	0
59.	Superior-Greenstone District School Board	0
60.	Thames Valley District School Board	3,052,518
61.	Thunder Bay Catholic District School Board	0
62.	Toronto Catholic District School Board	0
63.	Toronto District School Board	0
64.	Trillium Lakelands District School Board	0
65.	Upper Canada District School Board	0
66.	Upper Grand District School Board	0
67.	Waterloo Catholic District School Board	0
68.	Waterloo Region District School Board	0
69.	Wellington Catholic District School Board	0
70.	Windsor-Essex Catholic District School Board	0
71.	York Catholic District School Board	0
72.	York Region District School Board	0

12. Le tableau 16 du Règlement est abrogé et remplacé par ce qui suit :

TABLE/TABLEAU 16

GOOD PLACES TO LEARN — MAXIMUM ALLOCATIONS/LIEUX PROPICES À L'APPRENTISSAGE —  
ALLOCATIONS MAXIMALES

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
1.	Algoma District School Board	8,566,032	4,995,267	7,419,175
2.	Algonquin and Lakeshore Catholic District School Board	5,520,784	2,676,460	2,383,944
3.	Avon Maitland District School Board	15,736,931	7,232,322	5,376,929



Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
4.	Bluewater District School Board	14,384,686	7,146,043	6,704,892
5.	Brant Haldimand Norfolk Catholic District School Board	3,736,736	2,002,838	1,705,600
6.	Bruce-Grey Catholic District School Board	1,451,485	980,893	481,320
7.	Catholic District School Board of Eastern Ontario	6,219,937	2,530,733	2,803,289
8.	Conseil de district des écoles publiques de langue française n° 59	6,274,889	3,040,271	1,353,552
9.	Conseil scolaire de district catholique Centre-Sud	6,572,429	2,538,560	6,191,446
10.	Conseil scolaire de district catholique de l'est Ontarien	11,052,079	3,202,518	5,921,700
11.	Conseil scolaire de district catholique des Aurores boréales	538,819	232,311	169,689
12.	Conseil scolaire de district catholique des Grandes Rivières	5,044,082	3,143,085	1,657,108
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	7,471,767	4,982,994	3,912,531
14.	Conseil scolaire de district catholique du Nouvel-Ontario	7,658,633	3,747,791	3,263,607
15.	Conseil scolaire de district catholique Franco-Nord	3,572,837	1,202,050	2,044,028
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3,964,416	2,365,391	1,070,885
17.	Conseil scolaire de district du Centre Sud-Ouest	7,607,684	5,955,460	2,361,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	2,556,615	1,940,285	1,322,770
19.	Conseil scolaire de district du Nord-Est de l'Ontario	387,631	1,314,211	0
20.	District School Board of Niagara	49,974,365	20,969,450	22,693,835
21.	District School Board Ontario North East	5,600,507	4,389,318	1,517,577
22.	Dufferin-Peel Catholic District School Board	13,249,338	5,360,022	11,266,617
23.	Durham Catholic District School Board	2,785,579	2,462,113	1,809,156
24.	Durham District School Board	34,178,196	15,905,348	17,534,183
25.	English-language Separate District School Board No. 38	5,753,149	3,337,905	2,003,443
26.	Grand Erie District School Board	19,857,897	10,108,540	6,694,066
27.	Greater Essex County District School Board	27,319,674	11,876,531	8,611,374
28.	Halton Catholic District School Board	1,557,316	1,495,894	644,331
29.	Halton District School Board	20,243,575	11,833,447	8,180,503
30.	Hamilton-Wentworth Catholic District School Board	7,963,970	3,543,147	2,662,646
31.	Hamilton-Wentworth District School Board	34,103,412	16,283,534	14,648,604
32.	Hastings and Prince Edward District School Board	17,758,146	8,352,536	7,638,914
33.	Huron-Perth Catholic District School Board	1,120,758	954,589	590,500
34.	Huron-Superior Catholic District School Board	3,534,484	2,344,354	199,705
35.	Kawartha Pine Ridge District School Board	20,046,679	11,577,316	18,200,735
36.	Keewatin-Patricia District School Board	4,196,161	1,811,632	1,028,679
37.	Kenora Catholic District School Board	389,401	60,746	0
38.	Lakehead District School Board	5,722,015	2,783,056	799,483
39.	Lambton Kent District School Board	13,930,892	6,933,649	6,151,066
40.	Limestone District School Board	23,041,672	8,953,728	8,659,567
41.	Near North District School Board	11,422,809	6,209,331	5,922,960
42.	Niagara Catholic District School Board	17,271,446	7,079,291	5,987,964
43.	Nipissing-Parry Sound Catholic District School Board	2,910,248	819,592	792,532
44.	Northeastern Catholic District School Board	593,601	692,687	550,149
45.	Northwest Catholic District School Board	242,004	163,826	100,829
46.	Ottawa-Carleton District School Board	47,997,615	18,638,960	17,876,347
47.	Ottawa Catholic District School Board	19,644,533	8,873,966	8,371,051
48.	Peel District School Board	53,515,740	25,922,763	23,378,042
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2,272,590	1,159,124	174,670
50.	Rainbow District School Board	11,348,912	6,026,504	4,736,184
51.	Rainy River District School Board	1,072,658	1,066,887	516,235
52.	Renfrew County Catholic District School Board	2,319,798	1,520,769	1,597,920

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Column/Colonne 3 Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Column/Colonne 4 Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
53.	Renfrew County District School Board	8,592,082	6,465,615	4,625,447
54.	Simcoe County District School Board	33,557,187	16,685,935	12,654,293
55.	Simcoe Muskoka Catholic District School Board	6,079,445	3,280,954	1,828,933
56.	St. Clair Catholic District School Board	3,943,656	2,462,347	1,161,122
57.	Sudbury Catholic District School Board	6,629,471	2,849,310	5,220,185
58.	Superior North Catholic District School Board	1,444,496	625,173	614,534
59.	Superior-Greenstone District School Board	1,498,725	970,022	5,079,834
60.	Thames Valley District School Board	41,210,971	23,246,092	18,216,569
61.	Thunder Bay Catholic District School Board	5,609,488	2,730,208	1,554,277
62.	Toronto Catholic District School Board	39,166,136	19,890,934	15,478,683
63.	Toronto District School Board	175,426,757	97,246,244	98,415,289
64.	Trillium Lakelands District School Board	5,818,110	3,415,222	3,383,560
65.	Upper Canada District School Board	10,847,832	8,902,213	8,849,873
66.	Upper Grand District School Board	15,277,490	7,319,709	5,015,878
67.	Waterloo Catholic District School Board	6,082,548	3,513,738	2,377,127
68.	Waterloo Region District School Board	24,732,097	13,047,178	10,325,843
69.	Wellington Catholic District School Board	1,461,091	1,216,228	799,551
70.	Windsor-Essex Catholic District School Board	8,094,232	4,684,843	5,249,917
71.	York Catholic District School Board	10,423,811	5,678,045	3,626,725
72.	York Region District School Board	27,532,179	15,940,140	27,902,213

13. (1) Le point 28 du tableau 17.1 du Règlement est abrogé et remplacé par ce qui suit :

28.	Halton Catholic District School Board	28,650,513
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(2) Le point 47 du tableau 17.1 du Règlement est abrogé et remplacé par ce qui suit :

47.	Ottawa Catholic District School Board	26,292,446
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(3) Le point 49 du tableau 17.1 du Règlement est abrogé et remplacé par ce qui suit :

49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	12,725,832
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14. Le point 1 du tableau 19 du Règlement est abrogé.

15. Le tableau 20 du Règlement est modifié par adjonction du point suivant :

26.	Thames Valley District School Board	5684	Strathroy CI	Strathroy-Caradoc
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16. Le tableau 21 du Règlement est abrogé et remplacé par ce qui suit :



TABLE/TABLEAU 21

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE 2/ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N° 2)

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
1.	Algoma District School Board	5223		Bawating C & VS	Sault Ste. Marie	52,820,080
2.	Algoma District School Board	5645		Sir James Dunn C & VS	Sault Ste. Marie	
3.	Algoma District School Board	9573	Bawating C & V.S.		Sault Ste. Marie	
4.	Algoma District School Board	10893	Bawating Intermediate		Sault Ste. Marie	
5.	Algoma District School Board	848	Francis H Clergue Public School		Sault Ste. Marie	
6.	Algoma District School Board	2035	Rosedale Public School		Sault Ste. Marie	
7.	Algoma District School Board	7599		Hornepayne High School	Hornepayne	
8.	Algoma District School Board	7598		Hornepayne High School Annex	Hornepayne	
9.	Algonquin and Lakeshore Catholic District School Board	9229	Sacred Heart Catholic School Marmora		Marmora and Lake	9,374,708
10.	Algonquin and Lakeshore Catholic District School Board	9222	St. Michael CES		Belleville	
11.	Avon Maitland District School Board	1661	Arthur Meighen PS		St. Marys	4,831,328
12.	Avon Maitland District School Board	396	St. Mary's Central PS		St. Marys	
13.	Bluewater District School Board	1177	James A. Magee		Hanover	6,847,763
14.	Brant Haldimand Norfolk Catholic District School Board	3513	Our Lady of Fatima Sep School		Brantford	5,934,159
15.	Brant Haldimand Norfolk Catholic District School Board	4026	St. Jean de Brebeuf Sep S		Brantford	
16.	Bruce-Grey Catholic District School Board	3786		St. Mary's High School	Owen Sound	3,709,406
17.	Catholic District School Board of Eastern Ontario	4138	St. Joseph SS / Prescott		Prescott	9,958,654
18.	Catholic District School Board of Eastern Ontario	4222	St. Mark		Prescott	
19.	Catholic District School Board of Eastern Ontario	3368	St. Joseph Catholic School / Toledo		Elizabethtown - Kitley	
20.	Catholic District School Board of Eastern Ontario	9292	Mother Teresa Annex		Russell	
21.	Conseil de district des écoles publiques de langue française n° 59	1628	Ecole Madeleine- de-Roybon		Kingston	3,463,096
22.	Conseil scolaire de district catholique de l'Est ontarien	6204	Ecole St-Gregoire		Champlain	10,686,413
23.	Conseil scolaire de district catholique de l'Est ontarien	3627	Saint-Jean, E. Sep		Russell	
24.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3430	École élémentaire Montfort		Ottawa	9,028,785



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
25.	Conseil scolaire de district catholique Franco-Nord	3628	Echo-jeunesse, E. Sep		West Nipissing	17,279,243
26.	Conseil scolaire de district catholique Franco-Nord	3663	St. Joseph		West Nipissing	
27.	Conseil scolaire de district catholique Franco Nord	4547	Ecole Saint-Anne		North Bay	
28.	Conseil scolaire de district catholique Franco Nord	4387	Ecole Saint Paul		North Bay	
29.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	4066	École St-jean- Baptiste		Amhurstburg	6,045,440
30.	Conseil scolaire de district du Grand Nord de l'Ontario	9946	École publique Camille-Perron (leased)		Markstay-Warren	2,812,799
31.	District School Board of Niagara	489	Colonel John Butler PS		Niagara-On-The- Lake	9,107,214
32.	District School Board of Niagara	2391	Virgil PS		Niagara-On-The- Lake	
33.	District School Board of Niagara	1923	Queen Mary Public School		St. Catharines	
34.	Durham Catholic District School Board	8775	St. Bernadette CS		Ajax	8,904,137
35.	English-language Separate District School Board No. 38	3537	Our Lady of Lourdes Catholic Elementary School		Middlesex Centre	6,184,099
36.	Grand Erie District School Board	5304		Delhi District SS	Norfolk County	25,430,022
37.	Grand Erie District School Board	5243		Brantford Collegiate Institute & Vocational School	Brantford	
38.	Greater Essex County District School Board	7803		Leamington District SS	Leamington	30,980,472
39.	Greater Essex County District School Board	5358		Essex District HS	Essex	
40.	Greater Essex County District School Board	1163	J E Benson Public School		Windsor	
41.	Greater Essex County District School Board	1200	John Campbell Public School		Windsor	
42.	Halton Catholic District School Board	8104		St. Thomas Aquinas Catholic Secondary School	Oakville	14,284,098
43.	Halton District School Board	1314	Lakeshore PS		Burlington	3,188,676
44.	Hamilton-Wentworth Catholic District School Board	4496	St. Thomas CES		Hamilton	3,947,195
45.	Hamilton-Wentworth District School Board	8026	Lawfield		Hamilton	25,447,568
46.	Hamilton-Wentworth District School Board	8089	Vern Ames		Hamilton	
47.	Hamilton-Wentworth District School Board	8085	Stinson Street		Hamilton	
48.	Hamilton-Wentworth District School Board	8064	Queen Victoria		Hamilton	
49.	Hamilton-Wentworth District School Board	8075	Sanford Avenue		Hamilton	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
50.	Huron-Superior Catholic District School Board	6326		Mount St. Joseph College	Sault Ste. Marie	1,626,562
51.	Huron-Superior Catholic District School Board	3781		St. Basil	Sault Ste. Marie	
52.	Kawartha Pine Ridge District School Board	86	Apsely PS		North Kawartha	8,897,110
53.	Kawartha Pine Ridge District School Board	405	Central PS		Port Hope	
54.	Kawartha Pine Ridge District School Board	1112	Howard Jordan PS		Port Hope	
55.	Kawartha Pine Ridge District School Board	2584	Youngs Point PS		Cramahe	
56.	Keewatin-Patricia District School Board	1740	Oxdrift PS		Dryden Locality Education (assessment roll numbers beginning with "6096")	1,275,954
57.	Kenora Catholic District School Board	10543	St. Thomas Aquinas Annex		Kenora	3,089,151
58.	Lakehead District School Board	7559		Hillcrest High School	Thunder Bay	26,590,633
59.	Lakehead District School Board	7594		Port Arthur Collegiate Institute	Thunder Bay	
60.	Lambton Kent District School Board	581	Devine Street School		Sarnia	7,286,125
61.	Lambton Kent District School Board	1221	Johnston Memorial School		Sarnia	
62.	Near North District School Board	5668		Almaguin Highland SS	South River	18,691,312
63.	Niagara Catholic District School Board	7973	St. Joseph		Grimsby	8,685,439
64.	Niagara Catholic District School Board	7980	Our Lady of Fatima		Grimsby	
65.	Nipissing-Parry Sound Catholic DSB	5985	St. Theresa Catholic School		East Ferris	12,162,827
66.	Nipissing-Parry Sound Catholic DSB	3652	Sacred Heart Separate School		North Bay	
67.	Nipissing-Parry Sound Catholic DSB	4114	St. Joseph Separate School		North Bay	
68.	Nipissing-Parry Sound Catholic DSB	3999	St. Hubert Separate School		North Bay	
69.	Ottawa-Carleton District School Board	819	Fitzroy Centennial Public School		Ottawa	6,709,747
70.	Ottawa-Carleton District School Board	10140	Fitzroy Harbour Public School		Ottawa	
71.	Ottawa-Carleton District School Board	1655	Kars Public School		Ottawa	
72.	Peel District School Board	1749	Palgrave PS		Caledon	11,804,544
73.	Peel District School Board	338	Castlemore PS		Brampton	
74.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9267	St. Mary's School		Port Hope	1,925,445
75.	Rainbow District School Board	996	Markstay Public School		Markstay-Warren	8,499,915

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
76.	Rainbow District School Board	9623	Warren Public School		Markstay-Warren	
77.	Rainbow District School Board	207	Val Caron Public School		Greater Sudbury	
78.	Rainbow District School Board	2360	Valleyview Public School		Greater Sudbury	
79.	Rainy River District School Board	9397	Alexander Mackenzie School		Fort Frances	
80.	Rainy River District School Board	9380	J W Walker PS		Fort Frances	15,349,466
81.	Rainy River District School Board	9378	F H Huffman PS		Fort Frances	
82.	Rainy River District School Board	9384	Robert Moore PS		Fort Frances	
83.	Simcoe County District School Board	8151	King Edward PS		Barrie	
84.	Simcoe County District School Board	8157	Mount Slaven PS		Orillia	33,756,449
85.	Simcoe County District School Board	8165	Parkview PS		Midland	
86.	Simcoe County District School Board	8168	Prince of Wales PS		Barrie	
87.	Simcoe County District School Board	8171	Regent PS		Midland	
88.	Simcoe County District School Board	8207	David H. Church PS		Orillia	
89.	Simcoe County District School Board	8142	Hillcrest PS		Orillia	
90.	Simcoe County District School Board	8193	Baxter Annex		Essa	
91.	Simcoe Muskoka Catholic District School Board	8324	St. Paul's Alliston		New Tecumseth	9,144,720
92.	Simcoe Muskoka Catholic District School Board	8291		Holy Trinity SS	Bradford West Gwillimbury	
93.	St. Clair Catholic District School Board	3791	St. Benedict Catholic School		Sarnia	4,245,449
94.	Thames Valley District School Board	323	Caradoc South PS		Strathroy-Caradoc	14,153,720
95.	Thames Valley District School Board	630	Drumbo PS		Blandford- Blenheim	
96.	Thames Valley District School Board	1890	Princeton PS		Blandford- Blenheim	
97.	Thames Valley District School Board	5897	Elmdale PS		St. Thomas	
98.	Thames Valley District School Board	1599	Myrtle Street PS		St. Thomas	
99.	Thames Valley District School Board	2443	Wellington PS		St. Thomas	8,309,883
100.	Thunder Bay Catholic District School Board	3653	Sacred Heart		Thunder Bay	
101.	Thunder Bay Catholic District School Board	4500	St. Thomas Aquinas		Thunder Bay	2,608,917
102.	Toronto Catholic District School Board	9512	St. Edward		Toronto	



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
103.	Trillium Lakelands District School Board	1597	Muskoka Falls PS		Bracebridge	3,478,556
104.	Upper Canada District School Board	5716		Vankleek Hill C.I.	Champlain	10,821,286
105.	Upper Grand District School Board	1211	John McCrae PS		Guelph	16,762,241
106.	Upper Grand District School Board	1276	King George PS		Guelph	
107.	Upper Grand District School Board	2342	Tytler PS		Guelph	
108.	Upper Grand District School Board	1024	Harriston PS		Minto	
109.	Waterloo Region District School Board	2073	Ryerson		Cambridge	5,472,928
110.	Waterloo Region District School Board	829	Floradale		Woolwich	
111.	Wellington Catholic District School Board	4102	St. Joseph Elem.		Guelph	5,076,920
112.	York Catholic District School Board	3638	Holy Name Catholic Elementary School		King	6,828,276
113.	York Catholic District School Board	4252	St. Mary Immaculate School		Richmond Hill	
114.	York Region District School Board	5509		Markham District High School	Markham	34,551,242
115.	York Region District School Board	1285	King City PS		King	
116.	York Region District School Board	6351	Eva L. Building		King	

17. Le présent règlement entre en vigueur le jour de son dépôt.

17/08

## ONTARIO REGULATION 82/08

made under the

### EDUCATION ACT

Made: April 3, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008

Amending O. Reg. 580/07

(Permanent Improvement Definition)

Note: Ontario Regulation 580/07 has not previously been amended.

1. (1) Subsection 1 (1) of Ontario Regulation 580/07 is amended by adding the following paragraph:

3. Urgent and high priority renewal projects described in subsection 43 (4) of Ontario Regulation 152/07 (Grants for Student Needs — Legislative Grants for the 2007-2008 School Board Fiscal Year) made under the Act.

**(2) Subsection 1 (2) of the Regulation is amended by adding the following paragraph:**

- 1.1 New administration buildings.

**(3) Paragraph 2 of subsection 1 (2) of the Regulation is amended by striking out “paragraph 1” at the end and substituting “paragraphs 1 and 1.1”.**

- 2. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 82/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 3 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008

modifiant le Règl. de l'Ont. 580/07

(Définition de «amélioration permanente»)

Remarque : Le Règlement de l'Ontario 580/07 n'a pas été modifié antérieurement.

**1. (1) Le paragraphe 1 (1) du Règlement de l'Ontario 580/07 est modifié par adjonction de la disposition suivante :**

3. Les travaux de réfection urgents et importants visés au paragraphe 43 (4) du Règlement de l'Ontario 152/07 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2007-2008 des conseils scolaires) pris en application de la Loi.

**(2) Le paragraphe 1 (2) du Règlement est modifié par adjonction de la disposition suivante :**

- 1.1 Les nouveaux bâtiments administratifs.

**(3) La disposition 2 du paragraphe 1 (2) du Règlement est modifiée par substitution de «aux dispositions 1 et 1.1» à «à la disposition 1» à la fin de la disposition.**

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:

Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 3, 2008.  
Pris le : 3 avril 2008.

17/08

**ONTARIO REGULATION 83/08**

made under the

**EDUCATION ACT**

Made: April 2, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008**CALCULATION OF AVERAGE DAILY ENROLMENT FOR THE 2008-2009 SCHOOL BOARD FISCAL YEAR****Interpretation****1. (1) In this Regulation,**

“2008-2009 fiscal year” means the period beginning September 1, 2008 and ending August 31, 2009; (“exercice 2008-2009”)

“combined kindergarten program” means a program operated on a five-day cycle that consists of 600 minutes of junior kindergarten for those pupils who are enrolled in the junior kindergarten part of the program and 900 minutes of kindergarten for those pupils who are enrolled in the kindergarten part of the program; (“programme combiné de maternelle et de jardin d’enfants”)

“cycle” means the number of school days for which a schedule of classes in a school continues before the schedule is repeated; (“horaire”)

“day school” and “day school program” do not include continuing education or summer school classes or courses; (“cours de jour”, “programme scolaire de jour”)

“full-time pupil” means a pupil, other than a pupil enrolled in junior kindergarten, kindergarten or a combined kindergarten program, who is,

- (a) enrolled in a day school and, in respect of a cycle, is enrolled for classroom instruction for an average of at least 210 minutes per school day, or
- (b) enrolled in a day school which has, in accordance with a calendar that has been approved by the Minister under Regulation 304 of the Revised Regulations of Ontario, 1990 (School Year Calendar, Professional Activity Days) made under the Act, a designated school year of 12 months and instructional days in each of those months, and in which the pupil is eligible to earn at least seven credits on successfully completing the courses in which the pupil is enrolled in a school year; (“élève à temps plein”)

“half-time pupil” means a pupil who is enrolled in junior kindergarten or kindergarten, is not enrolled in a combined kindergarten program, and, in respect of a cycle, is enrolled for classroom instruction for an average of at least 150 minutes per school day; (“élève à mi-temps”)

“independent study course” means a credit course that is provided to a pupil other than a full-time pupil and that,

- (a) meets the criteria set out in the independent study course register for inclusion in the determination of day school enrolment, or
- (b) is approved by the Minister as an independent study course to be included in the determination of day school enrolment; (“cours d’études personnelles”)

“part-time pupil” means a pupil who is enrolled in day school and is neither a full-time nor a half-time pupil. (“élève à temps partiel”)

**(2) This Regulation applies to boards for the 2008-2009 fiscal year.**

(3) The document entitled “Ontario Secondary Schools, Grades 9 to 12 — Program and Diploma Requirements — 1999”, referred to in subparagraph 1 i of subsection 3 (2), paragraphs 6 and 7 of subsection 3 (2) and subclauses (c) (v) and (vi) of the definition of “summer school class or course” in subsection 4 (1), is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

**Day school A.D.E.****2. Day school average daily enrolment for a board for the fiscal year is the sum of,**

- (a) the product of 0.5 and the sum of,
  - (i) the number of full-time pupils enrolled on October 31, 2008 in schools operated by the board,
  - (ii) 0.5 times the number of half-time pupils enrolled on that day in schools operated by the board, and



- (iii) the quotient obtained by determining, for each part-time pupil enrolled on that day in a school operated by the board, the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes that day, in a course other than an independent study course, and dividing the sum of the numbers so determined by the product of 300 and the number of days in the cycle;
- (b) the product of 0.5 and the sum of,
  - (i) the number of full-time pupils enrolled on March 31, 2009 in schools operated by the board,
  - (ii) 0.5 times the number of half-time pupils enrolled on that day in schools operated by the board, and
  - (iii) the quotient obtained by determining, for each part-time pupil enrolled on that day in a school operated by the board, the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes that day, in a course other than an independent study course, and dividing the sum of the numbers so determined by the product of 300 and the number of days in the cycle; and
- (c) an amount in respect of each pupil enrolled in a school of the board who is registered for an independent study course, calculated as follows:

$$\frac{A \times B}{7.5}$$

in which,

"A" is the number of credits and partial credits that may be earned by the pupil on successful completion of the course, and

"B" is the fraction representing the portion of the total quantity of work required for completion of the course that is completed by the pupil during the fiscal year.

#### Continuing education A.D.E.

3. (1) Continuing education average daily enrolment for a board for the fiscal year is the sum of,
- (a) an amount in respect of each pupil who is enrolled in a continuing education class or course established by the board, other than a continuing education course delivered primarily through means other than classroom instruction, calculated as follows:

$$\frac{C \times D}{300 \times 190}$$

in which,

"C" is the number of sessions for which the pupil is enrolled in the fiscal year, and

"D" is the number of minutes in each session; and

- (b) an amount in respect of each pupil who is enrolled in a continuing education course established by the board and delivered primarily through means other than classroom instruction calculated as follows:

$$E \times 0.1158 \times F$$

in which,

"E" is the number of credits and partial credits that may be earned by the pupil on successful completion of the course, and

"F" is the fraction representing the portion of the total quantity of work required for completion of the course that is completed by the pupil during the fiscal year.

(2) A class or course is a continuing education class or course for the purposes of subsection (1) if it is not a summer school class or course as defined in subsection 4 (1), it is approved by the Minister and it satisfies the conditions in one of the following paragraphs:

1. The class or course,
  - i. is established for adults for which one or more credits, a partial credit referred to in the Ministry publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999" or a partial credit approved by the Minister may be granted, and
  - ii. is in the intermediate division if it is offered by a school authority that is only authorized to provide elementary education.
2. The class or course is in Native language instruction for adults.

3. The class or course is in literacy and numeracy for pupils in grade 7 or 8 for whom a remedial program in literacy and numeracy has been recommended by the principal of the day school in which the pupil is enrolled and the class or course is not provided as part of a day school program.
4. The class or course is a non-credit class or course in literacy and numeracy for pupils in grade 9 or a higher grade for whom a grade 9 or 10 remedial program in literacy and numeracy has been recommended by the principal of the day school in which the pupil is enrolled and the class or course is not provided as part of a day school program.
5. The class or course is in literacy and numeracy and is established for adults who are parents or guardians of pupils enrolled in a day school program for whom a remedial program in literacy and numeracy has been recommended by the principal of the day school in which the pupils are enrolled.
6. The class or course is for secondary school pupils who elected to take a transfer credit course to transfer between course types in accordance with section 5.6 of the Ministry publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999".
7. The class or course is for pupils who are enrolled in grade 9 in the school year and the principal, headmaster, headmistress or other person in charge of the school in which the pupil is enrolled strongly encourages the pupil to successfully complete additional course work of up to 30 hours before switching from one course type in grade 9 to another course type in grade 10 in the same subject, in accordance with section 5.6 of the Ministry publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999".

(3) Any pupils who are in a class or course offered for credit and who are not adults must be included in calculating the continuing education average daily enrolment for a board under subsection (1) for a class or course established for adults that is referred to in subsection (2).

(4) The following rules apply in calculating the continuing education average daily enrolment for a board under subsection (1) for a class or course referred to in subsection (5):

1. If the number of pupils in the class or course is 10 or more and less than 15, that number is increased to 15.
2. If the number of pupils in the class or course is less than 10, that number is increased by five.

(5) Subsection (4) applies with respect to a class or course,

(a) referred to in paragraph 4 of subsection (2); and

(b) referred to in paragraph 1 of subsection (2), other than a course delivered primarily through means other than classroom instruction, if the class or course is offered in a secondary school that is located in a territorial district and is more than 80 kilometres from all other secondary schools in the Province that have the same language of instruction.

#### Summer school A.D.E.

4. (1) In this section,

"summer school class or course" means a class or course,

(a) that is provided by a board between the hours of 8 a.m. and 5 p.m.,

(b) that starts after the completion of the 2008-2009 school year and ends before the start of the 2009-2010 school year, and

(c) that is a class or course,

(i) for developmentally delayed pupils,

(ii) in which a pupil may earn a credit,

(iii) for pupils who have completed grade 7 or a higher grade and for whom a grade 7 or 8 remedial program in literacy and numeracy has been recommended by the principal, headmaster, headmistress or other person in charge of the school at which the pupil completed grade 7 or 8,

(iv) for pupils who were enrolled in grade 9 or a higher grade and for whom a non-credit grade 9 or 10 remedial program in literacy and numeracy has been recommended by the principal, headmaster, headmistress or other person in charge of the school at which the pupil was enrolled,

(v) for pupils who were enrolled in grade 10 or 11 and who elected to take a transfer credit course to transfer between course types in accordance with section 5.6 of the Ministry publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999", or

(vi) for pupils who are enrolled in grade 9 in the 2008-2009 school year and the principal, headmaster, headmistress or other person in charge of the school in which the pupil is enrolled strongly encourages the pupil to successfully complete additional non-credit crossover course work of up to 30 hours when the pupil plans to switch from one course type in grade 9 to the other in grade 10 in the same subject, in accordance with section 5.6 of the Ministry publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999".

(2) Only the following pupils are counted for the purposes of this section:

1. Pupils who were enrolled in a day school program offered by a board.
2. Pupils who were enrolled in any of grades 1 to 12 in a private school that was in compliance with subsection 16 (1) of the Act when the pupil was last enrolled in the school.

(3) Summer school average daily enrolment for a board for the fiscal year is the sum of the amounts in respect of each pupil enrolled in a summer school class or course that is provided by the board, other than a course delivered primarily through means other than classroom instruction, calculated as follows:

$$\frac{G \times H}{300 \times 190}$$

in which,

“G” is the number of sessions of the summer school class or course in which the pupil is enrolled in the fiscal year, and

“H” is the number of minutes in each session.

#### Commencement

5. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 83/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 2 avril 2008

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## CALCUL DE L'EFFECTIF QUOTIDIEN MOYEN POUR L'EXERCICE 2008-2009 DES CONSEILS SCOLAIRES

#### Interprétation

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«cours de jour» et «programme scolaire de jour» Sont exclus les classes ou les cours d'éducation permanente et les classes ou les cours d'été. («day school», «day school program»)

«cours d'études personnelles» Cours crédité qui est dispensé à un élève, à l'exclusion d'un élève à temps plein, et qui, selon le cas :

- a) satisfait aux critères énoncés dans le registre des cours d'études personnelles pour être inclus dans le calcul de l'effectif de jour;
- b) est approuvé par le ministre à titre de cours d'études personnelles à inclure dans le calcul de l'effectif de jour. («independent study course»)

«élève à mi-temps» Élève qui est inscrit à la maternelle ou au jardin d'enfants, mais non à un programme combiné de maternelle et de jardin d'enfants, pour une moyenne d'au moins 150 minutes d'enseignement en classe par jour de classe à l'égard d'un horaire. («half-time pupil»)

«élève à temps partiel» Élève qui est inscrit aux cours de jour et qui n'est ni un élève à temps plein ni un élève à mi-temps. («part-time pupil»)

«élève à temps plein» Élève, sauf un élève inscrit à la maternelle, au jardin d'enfants ou à un programme combiné de maternelle et de jardin d'enfants, qui :

- a) soit est inscrit à des cours de jour pour une moyenne d'au moins 210 minutes d'enseignement en classe par jour de classe à l'égard d'un horaire;



- b) soit est inscrit à des cours de jour qui, conformément au calendrier qu'a approuvé le ministre aux termes du Règlement 304 des Règlements refondus de l'Ontario de 1990 («Calendrier scolaire, journées pédagogiques») pris en application de la Loi, couvrent une année scolaire désignée de 12 mois comprenant chacun des journées d'enseignement, et pendant lesquels l'élève a le droit d'obtenir au moins sept crédits lorsqu'il termine avec succès les cours auxquels il est inscrit pendant une année scolaire. («full-time pupil»)

«exercice 2008-2009» La période qui commence le 1<sup>er</sup> septembre 2008 et qui se termine le 31 août 2009. («2008-2009 fiscal year»)

«horaire» Le nombre de jours que couvre le calendrier des classes d'une école avant de recommencer. («cycle»)

«programme combiné de maternelle et de jardin d'enfants» Programme qui fonctionne selon un horaire de cinq jours et qui consiste en 600 minutes de maternelle pour les élèves qui sont inscrits au volet maternelle du programme et en 900 minutes de jardin d'enfants pour ceux inscrits au volet jardin d'enfants. («combined kindergarten program»)

(2) Le présent règlement s'applique aux conseils pour l'exercice 2008-2009.

(3) Le public peut consulter le document intitulé «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999» qui est mentionné à la sous-disposition 1 i du paragraphe 3 (2), aux dispositions 6 et 7 du même paragraphe et aux sous-alinéas c) (v) et (vi) de la définition de «classe ou cours d'été» au paragraphe 4 (1) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

#### Effectif quotidien moyen de jour

2. L'effectif quotidien moyen de jour d'un conseil pour l'exercice correspond à la somme de ce qui suit :

a) le produit de 0,5 par la somme de ce qui suit :

- (i) le nombre d'élèves à temps plein inscrits le 31 octobre 2008 aux écoles qui relèvent du conseil,
- (ii) 0,5 fois le nombre d'élèves à mi-temps inscrits ce jour-là aux écoles qui relèvent du conseil,
- (iii) le quotient obtenu en calculant, pour chaque élève à temps partiel inscrit ce jour-là à une école qui relève du conseil, le nombre de minutes pour lesquelles cet élève est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut ce jour-là, à un cours autre qu'un cours d'études personnelles, et en divisant la somme des nombres ainsi obtenus par le produit de 300 et du nombre de jours que compte l'horaire;

b) le produit de 0,5 par la somme de ce qui suit :

- (i) le nombre d'élèves à temps plein inscrits le 31 mars 2009 aux écoles qui relèvent du conseil,
- (ii) 0,5 fois le nombre d'élèves à mi-temps inscrits ce jour-là aux écoles qui relèvent du conseil,
- (iii) le quotient obtenu en calculant, pour chaque élève à temps partiel inscrit ce jour-là à une école qui relève du conseil, le nombre de minutes pour lesquelles cet élève est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut ce jour-là, à un cours autre qu'un cours d'études personnelles, et en divisant la somme des nombres ainsi obtenus par le produit de 300 et du nombre de jours que compte l'horaire;

c) une valeur relative à chaque élève inscrit à une école du conseil, à un cours d'études personnelles, calculée selon la formule suivante :

$$\frac{A \times B}{7,5}$$

où :

«A» correspond au nombre de crédits et de fractions de crédits que peut obtenir l'élève qui termine le cours avec succès,

«B» correspond à la fraction représentant la tranche de la quantité totale de travail exigée pour terminer le cours que l'élève a terminée au cours de l'exercice.

#### Effectif quotidien moyen de l'éducation permanente

3. (1) L'effectif quotidien moyen de l'éducation permanente d'un conseil pour l'exercice correspond à la somme de ce qui suit :

- a) une valeur relative à chaque élève qui est inscrit à une classe ou à un cours d'éducation permanente créé par le conseil, à l'exclusion d'un cours d'éducation permanente dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$\frac{C \times D}{300 \times 190}$$

où :

«C» correspond au nombre de séances pour lesquelles l'élève est inscrit pendant l'exercice,

«D» correspond au nombre de minutes que comprend chaque séance;

- b) une valeur relative à chaque élève qui est inscrit à un cours d'éducation permanente créé par le conseil et dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$E \times 0,1158 \times F$$

où :

«E» correspond au nombre de crédits et de fractions de crédits que peut obtenir l'élève qui termine le cours avec succès,

«F» correspond à la fraction représentant la tranche de la quantité totale de travail exigée pour terminer le cours que l'élève a terminée au cours de l'exercice.

- (2) Une classe ou un cours constitue une classe ou un cours d'éducation permanente pour l'application du paragraphe (1) s'il n'est pas une classe ou un cours d'été au sens du paragraphe 4 (1), qu'il est approuvé par le ministre et qu'il satisfait aux conditions de l'une des dispositions suivantes :

1. La classe ou le cours :

- i. d'une part, est créé à l'intention d'adultes qui peuvent obtenir un ou plusieurs crédits, une fraction de crédit mentionnée dans la publication du ministère intitulée «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999» ou une fraction de crédit approuvée par le ministre,
- ii. d'autre part, appartient au cycle intermédiaire, s'il est offert par une administration scolaire qui n'est autorisée qu'à dispenser un enseignement à l'élémentaire.

2. Il s'agit d'une classe ou d'un cours de langue autochtone destiné à des adultes.

3. Il s'agit d'une classe ou d'un cours destiné à accroître l'aptitude à lire, à écrire et à compter des élèves de septième ou de huitième année auxquels le directeur de l'école où l'élève est inscrit à des cours de jour a recommandé un programme de rattrapage destiné à accroître leur aptitude à lire, à écrire et à compter et la classe ou le cours ne fait pas partie d'un programme scolaire de jour.

4. Il s'agit d'une classe ou d'un cours ne donnant pas droit à un crédit qui est destiné à accroître l'aptitude à lire, à écrire et à compter des élèves de neuvième année ou d'une année subséquente auxquels le directeur de l'école où l'élève est inscrit à des cours de jour a recommandé un programme de rattrapage de neuvième ou de dixième année destiné à accroître leur aptitude à lire, à écrire et à compter et la classe ou le cours ne fait pas partie d'un programme scolaire de jour.

5. Il s'agit d'une classe ou d'un cours destiné à accroître l'aptitude à lire, à écrire et à compter et créé à l'intention d'adultes qui sont soit le père, la mère ou le tuteur d'un élève inscrit à un programme scolaire de jour auquel le directeur de l'école où l'élève est inscrit à des cours de jour a recommandé un programme de rattrapage destiné à accroître l'aptitude à lire, à écrire et à compter.

6. Il s'agit d'une classe ou d'un cours destiné aux élèves du secondaire qui ont choisi de suivre un cours de transition donnant droit à crédit afin de changer de type de cours conformément à l'article 5.6 de la publication du ministère intitulée «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999».

7. Il s'agit d'une classe ou d'un cours destiné aux élèves qui sont inscrits en neuvième année pendant l'année scolaire et le directeur, le chef ou le responsable de l'école ou de l'établissement où l'élève est inscrit l'encourage fortement à terminer avec succès un cours supplémentaire d'une durée maximale de 30 heures avant de transférer d'un type de cours offert en neuvième année à celui offert dans la même matière en dixième année, conformément à l'article 5.6 de la publication du ministère intitulée «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999».

- (3) Tout élève d'une classe ou d'un cours donnant droit à crédit qui n'est pas un adulte est décompté aux fins du calcul de l'effectif quotidien moyen de l'éducation permanente effectué pour le conseil en application du paragraphe (1) à l'égard d'une classe ou d'un cours créé à l'intention d'adultes et visé au paragraphe (2).

- (4) Les règles suivantes s'appliquent au calcul de l'effectif quotidien moyen de l'éducation permanente effectué pour le conseil en application du paragraphe (1) à l'égard d'une classe ou d'un cours visé au paragraphe (5) :

1. Le nombre d'élèves de la classe ou du cours qui compte 10 élèves ou plus, mais moins de 15, est porté à 15.
2. Le nombre d'élèves de la classe ou du cours qui compte moins de 10 élèves est augmenté de cinq.



(5) Le paragraphe (4) s'applique à l'égard d'une classe ou d'un cours qui réunit les conditions suivantes :

- a) il est visé à la disposition 4 du paragraphe (2);
- b) il est visé à la disposition 1 du paragraphe (2), mais ne constitue pas un cours dispensé principalement par des moyens autres qu'un enseignement en classe, et il est offert, le cas échéant, par une école secondaire située dans un district territorial, à plus de 80 kilomètres de toutes les autres écoles secondaires de la province qui dispensent l'enseignement dans la même langue.

**Effectif quotidien moyen pendant l'été**

4. (1) La définition qui suit s'applique au présent article.

«classe ou cours d'été» Classe ou cours qui réunit les conditions suivantes :

- a) il est offert par un conseil entre 8 h et 17 h;
- b) il commence après la fin de l'année scolaire 2008-2009 et se termine avant le début de l'année scolaire 2009-2010;
- c) il s'agit d'une classe ou d'un cours, selon le cas :
  - (i) qui est destiné aux élèves qui présentent un retard du développement,
  - (ii) où l'élève peut obtenir un crédit,
  - (iii) qui est destiné aux élèves qui ont terminé la septième année ou une année subséquente et auxquels le directeur, le chef ou le responsable de l'école ou de l'établissement où l'élève a terminé la septième ou la huitième année a recommandé un programme de rattrapage de septième ou de huitième année destiné à accroître leur aptitude à lire, à écrire et à compter,
  - (iv) qui est destiné aux élèves qui étaient inscrits en neuvième année ou dans une année subséquente et auxquels le directeur, le chef ou le responsable de l'école ou de l'établissement où l'élève était inscrit a recommandé un programme de rattrapage de neuvième ou de dixième année destiné à accroître leur aptitude à lire, à écrire et à compter mais ne donnant pas droit à crédit,
  - (v) qui est destiné aux élèves qui étaient inscrits en dixième ou en onzième année et qui ont choisi de suivre un cours de transition donnant droit à crédit afin de changer de type de cours conformément à l'article 5.6 de la publication du ministère intitulée «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999»,
  - (vi) qui est destiné aux élèves qui sont inscrits en neuvième année pendant l'année scolaire 2008-2009 et le directeur, le chef ou le responsable de l'école ou de l'établissement où l'élève est inscrit l'encourage fortement à terminer avec succès un cours complémentaire ne donnant pas droit à crédit d'une durée maximale de 30 heures lorsqu'il a l'intention de transférer d'un type de cours offert en neuvième année à celui offert dans la même matière en dixième année, conformément à l'article 5.6 de la publication du ministère intitulée «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999».

(2) Seuls les élèves suivants sont dénombrés pour l'application du présent article :

- 1. Les élèves qui étaient inscrits à un programme scolaire de jour dispensé par un conseil.
- 2. Les élèves qui étaient inscrits de la première à la douzième années dans une école privée à l'égard de laquelle le paragraphe 16 (1) de la Loi était observé lorsque les élèves y étaient inscrits.

(3) L'effectif quotidien moyen des cours d'été d'un conseil pour l'exercice correspond à la somme de valeurs dont chacune est une valeur relative à chaque élève qui est inscrit à une classe ou à un cours d'été dispensé par le conseil, à l'exclusion d'un cours dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$\frac{G \times H}{300 \times 190}$$

où :

«G» correspond au nombre de séances de la classe ou du cours d'été auquel l'élève est inscrit pendant l'exercice,

«H» correspond au nombre de minutes que comprend chaque séance.

**Entrée en vigueur**

5. Le présent règlement entre en vigueur le jour de son dépôt.



**ONTARIO REGULATION 84/08**

made under the

**EDUCATION ACT**

Made: April 1, 2008

Approved: April 2, 2008

Filed: April 7, 2008

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Printed in *The Ontario Gazette*: April 26, 2008**CALCULATION OF FEES FOR PUPILS FOR THE 2008-2009 SCHOOL BOARD FISCAL YEAR****CONTENTS**

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**Interpretation**

1. (1) In this Regulation,

“A.D.E. regulation” means Ontario Regulation 83/08 (Calculation of Average Daily Enrolment for the 2008-2009 School Board Fiscal Year) made under the Act; (“règlement sur l’effectif quotidien moyen”)

“continuing education A.D.E.”, for a board, means the continuing education average daily enrolment for the board, as calculated under section 3 of the A.D.E. regulation; (“effectif quotidien moyen des cours d’éducation permanente”)

“continuing education class or course” has the same meaning as in section 3 of the A.D.E. regulation; (“classe ou cours d’éducation permanente”)

“day school A.D.E.”, for a board, means the day school average daily enrolment for the board, as calculated under section 2 of the A.D.E. regulation; (“effectif quotidien moyen de jour”)

“day school program” does not include continuing education or summer school classes or courses; (“programme scolaire de jour”)

“elementary school pupil” means a pupil who is enrolled in any of junior kindergarten, kindergarten and grades one to eight; (“élève de l’élémentaire”)

“grant regulation” means Ontario Regulation 85/08 (Grants for Student Needs — Legislative Grants for the 2008-2009 School Board Fiscal Year) made under the Act; (“règlement sur les subventions”)

“high cost program” means,

(a) a special education program, or

(b) any other program which both the board and the party from whom the tuition fee is receivable agree is a high cost program for the purposes of this Regulation; (“programme à coût élevé”)

“isolate board” means a school authority other than a section 68 board; (“conseil isolé”)

“P.A.C.”, for a pupil, means the pupil accommodation charge for a pupil as determined under subsections (3) and (4); (“frais de pension”)

“secondary school pupil” means a pupil who is enrolled in any of grades nine to twelve; (“élève du secondaire”)

“section 68 board” means a board established under section 68 of the Act; (“conseil créé en vertu de l’article 68”)

“summer school A.D.E.”, for a board, means the summer school average daily enrolment for the board, as calculated under section 4 of the A.D.E. regulation; (“effectif quotidien moyen des cours d’été”)

“summer school class or course” means a summer school class or course as defined in subsection 4 (1) of the A.D.E. regulation. (“classe ou cours d’été”)

(2) The following rules apply for the purposes of this Regulation:

1. A pupil is considered to be a pupil of a board if he or she is a pupil of the board for the purposes of the grant regulation.
2. The day school A.D.E. of a pupil enrolled in a school operated by a board is the day school A.D.E. for the board, calculated as if the pupil were the board's only pupil.

(3) The pupil accommodation charge for a pupil is \$141 in the case of an elementary school pupil or \$282 in the case of a secondary school pupil.

(4) Despite subsection (3), if a board has entered into an agreement under subsection 188 (3) of the Act that provides for a payment by the Crown in right of Canada to provide classroom accommodation for a specified number of pupils, the pupil accommodation charge for each pupil accommodated as a result of the agreement is zero.

#### **Application**

2. This Regulation applies in respect of the fiscal year of boards that commences on September 1, 2008 and ends on August 31, 2009.

#### **Education for Indians**

3. (1) This section applies in respect of a pupil who is enrolled in a day school program in a school operated by a district school board or an isolate board if a fee in respect of the pupil is receivable by the board from,

- (a) the Crown in right of Canada; or
- (b) a band, the council of a band or an education authority where the band, council of a band or education authority is authorized by the Crown in right of Canada to provide education for Indians.

(2) The fee in respect of the pupil is calculated by multiplying the day school A.D.E. of the pupil by the sum of the P.A.C. for the pupil and the base fee determined,

- (a) under subsection (3), in the case of a pupil who is an elementary school pupil enrolled in a school operated by a district school board;
- (b) under subsection (4), in the case of a pupil who is a secondary school pupil enrolled in a school operated by a district school board; or
- (c) under subsection (5), in the case of a pupil who is enrolled in a school operated by an isolate board.

(3) The base fee for an elementary school pupil enrolled in a school operated by a district school board is determined as follows:

1. Take the portion of the pupil foundation allocation determined under paragraph 1 of section 15 of the grant regulation.
2. Determine an amount on account of the school foundation allocation for elementary school pupils, by determining the sum of the following amounts:
  - i. The amounts determined under paragraphs 1 and 2 of subsection 16 (4) of the grant regulation.
  - ii. The amount determined under paragraph 8 of subsection 16 (5) of the grant regulation.
  - iii. The amount determined under paragraph 9 of subsection 16 (6) of the grant regulation.
  - iv. The amount determined under paragraph 4 of subsection 16 (7) of the grant regulation.
  - v. The amount determined under subparagraph 2 v of subsection (4).
3. Take the amount of the board's primary class size allocation for the fiscal year, as determined under section 17 of the grant regulation.
4. Determine an amount on account of the special education allocation for elementary school pupils, as follows:
  - i. Determine the day school A.D.E. for the board, counting only pupils enrolled in junior kindergarten, kindergarten and grades one to three.
  - ii. Multiply the number determined under subparagraph i by \$678.59, to obtain the enrolment-based special education amount for junior kindergarten to grade three.
  - iii. Take the day school A.D.E. for the board, counting only pupils enrolled in any of grades four to eight.
  - iv. Multiply the number determined under subparagraph iii by \$522.38, to obtain the enrolment-based special education amount for grades four to eight.
  - v. Calculate the sum of the approved special equipment claims for elementary school pupils of the board for the fiscal year, as determined under section 20 of the grant regulation.

- vi. Take the part of the special incidence claim for the board for the fiscal year, as determined under subsection 22 (2) of the grant regulation, that is generated by elementary school pupils of the board.
  - vii. Divide the high needs amount for the board, as determined under section 21 of the grant regulation, by the day school A.D.E. of the board, counting only pupils of the board.
  - viii. Multiply the result obtained under subparagraph vii by the day school A.D.E. of the board, counting only elementary school pupils of the board.
  - ix. Total the amounts obtained under subparagraphs ii, iv, v, vi and viii.
5. In the case of an English-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:
- i. Take the French as a second language amount for elementary school pupils of the board for the fiscal year, as determined under section 26 of the grant regulation.
  - ii. Calculate the part of the ESL/ELD amount for the board that is generated by elementary school pupils of the board, as follows:
    - A. Calculate the part of the ESL/ELD amount for the board, as calculated under subsection 27 (1) of the grant regulation, if only elementary school pupils of the board were counted.
    - B. Take the amount set out for the board in Table 2 of the grant regulation opposite the name of the board.
    - C. Divide the amount referred to in sub-subparagraph B by the day school A.D.E. for the board, counting only pupils of the board.
    - D. Multiply the result obtained under sub-subparagraph C by the day school A.D.E. for the board, counting only elementary school pupils of the board.
    - E. Add the amounts calculated under sub-subparagraphs A and D.
  - iii. Add the amount referred to in subparagraph i and the amount determined under subparagraph ii.
6. In the case of a French-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:
- i. Multiply by \$667.63 the number of elementary school pupils of the board on October 31, 2008.
  - ii. Divide \$189,188.68 by the day school A.D.E. for the board.
  - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  - iv. Add the product determined under subparagraph iii to the total of the amounts determined under paragraphs 2 and 3 of subsection 30 (2) of the grant regulation.
  - v. Calculate the part of the PDF funding level for the board for the fiscal year, as determined under subsection 30 (3) of the grant regulation, that is generated by elementary school pupils of the board.
  - vi. Total the amounts determined under subparagraphs i, iv and v.
7. Determine an amount on account of the First Nation, Métis and Inuit Education supplemental allocation for elementary school pupils as follows:
- i. Take the Native language amount for elementary school pupils of the board as determined under subsection 31 (2) of the grant regulation.
  - ii. Take the census-based Aboriginal amount determined for the board under subsection 31 (5) of the grant regulation.
  - iii. Divide the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only pupils of the board.
  - iv. Multiply the amount determined under subparagraph iii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  - v. Total the amounts calculated under subparagraphs i and iv.
8. Determine an amount on account of the learning resources for distant schools allocation for elementary school pupils as follows:
- i. If the amount determined under paragraph 6 of subsection 32 (1) of the grant regulation is greater than the amount determined under paragraph 11 of that subsection, calculate an amount as follows:



- A. Add to the amount determined under paragraph 2 of subsection 32 (1) of the grant regulation the total of the amounts, if any, set out in Column 7 of Table 5 of the grant regulation opposite the names of the elementary schools of the board set out in Column 3 of that Table.
    - B. Add to the amount determined under sub-subparagraph A the amount determined under paragraph 14 of subsection 32 (1) of the grant regulation.
  - ii. If the amount determined under paragraph 6 of subsection 32 (1) of the grant regulation is less than or equal to the amount determined under paragraph 11 of that subsection, calculate an amount as follows:
    - A. Take the amount determined under paragraph 8 of subsection 32 (1) of the grant regulation.
    - B. Add to the amount determined under sub-subparagraph A the amount determined under paragraph 14 of subsection 32 (1) of the grant regulation.
    - C. Add to the amount determined under sub-subparagraph B the total of the amounts, if any, set out in Column 7 of Table 5 of the grant regulation opposite the names of the elementary schools of the board set out in Column 3 of that Table where the distance set out in Column 6 of that Table is less than 30 kilometres.
    - D. Add to the amount determined under sub-subparagraph C the amount determined under subparagraph 7 ii of subsection (4).
9. Determine an amount on account of the remote and rural allocation for elementary school pupils, as follows:
  - i. Divide the amount of the board's remote and rural allocation for the year, as determined under section 33 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only elementary school pupils of the board.
10. Determine an amount on account of the rural and small community allocation for elementary school pupils, as follows:
  - i. Divide the amount of the board's rural and small community allocation for the year, if any, as determined under section 34 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only elementary school pupils of the board.
11. Determine an amount on account of the new teacher induction program amount for elementary school pupils of the board as follows, where the terms "new teacher" and "new teaching period" have the same meaning as in Part X.0.1 of the Act:
  - i. Multiply the amount determined under subsection 39 (1) of the grant regulation by the number of elementary school teachers of the board who are new teachers and whose new teaching period commences between October 2, 2007 and October 31, 2008.
  - ii. Divide the product determined under subparagraph i by the number of teachers of the board who are new teachers and whose new teaching period commences between October 2, 2007 and October 31, 2008.
12. Determine an amount on account of the learning opportunities allocation for elementary school pupils, as follows:
  - i. Take the total of,
    - A. the amount determined for the board under paragraph 1 of subsection 35 (1) of the grant regulation,
    - B. the amount determined for the board under paragraph 4 of subsection 35 (4) of the grant regulation, and
    - C. \$153,734.
  - ii. Divide the amount determined under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
  - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  - iv. Take the total of,
    - A. the amount determined for the board under paragraph 2 of subsection 35 (4) of the grant regulation, and
    - B. the amount determined for the board under paragraph 8 of subsection 35 (4) of the grant regulation.
  - v. Add the amounts determined under subparagraphs iii and iv.
13. Determine an amount on account of the safe schools allocation for elementary school pupils as follows:
  - i. Divide the amount of the board's safe schools allocation for the year, if any, as determined under section 36 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.

- ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only elementary school pupils of the board.
14. Take the elementary school teacher qualification and experience amount for the fiscal year, as determined under subsection 40 (1) of the grant regulation.
  15. Determine an amount on account of the cost adjustment for non-teachers for elementary school pupils as follows:
    - i. Divide the amount set out in Column 2 of Table 10 of the grant regulation opposite the name of the board in Column 1 by the day school A.D.E. for the board, counting only pupils of the board.
    - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  16. Determine an amount on account of the administration and governance allocation for elementary school pupils, as follows:
    - i. Subtract the total of the amounts determined under paragraphs 13 and 14 of subsection 42 (2) of the grant regulation from the amount of the board's administration and governance allocation for the fiscal year, as determined under section 42 of the grant regulation.
    - ii. Divide the amount determined under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
    - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  17. Determine an amount on account of the program enhancement allocation for elementary school pupils, as follows:
    - i. Take the number of qualifying sole elementary schools of the board within the meaning of subsection 16 (3) of the grant regulation.
    - ii. Multiply the number determined under subparagraph i by \$9,650.
  18. Determine an amount on account of the school operations part of the pupil accommodation allocation for elementary school pupils by multiplying the benchmark operating cost of \$67.41 per metre squared,
    - i. by the adjusted elementary school area requirement for the board determined under paragraph 3 of subsection 46 (1) of the grant regulation, if a supplementary elementary school area factor is approved for the board under that section, or
    - ii. by the elementary school area requirement for the board determined under paragraph 2 of subsection 46 (1) of the grant regulation, if no supplementary elementary school area factor is approved for the board under that section.
  19. Take the total of the amounts determined in respect of the board under paragraphs 17, 22, 26 and 29 of subsection 46 (1) of the grant regulation.
  20. Determine an amount on account of the board's adjustment for declining enrolment in respect of elementary school pupils by,
    - i. dividing the amount of the board's adjustment for declining enrolment, if any, as determined under section 58 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board, and
    - ii. multiplying the amount determined under subparagraph i by the day school A.D.E. for the board, counting only elementary school pupils of the board.
  21. Total the amounts determined for the board under paragraphs 1 to 20.
  22. Divide the amount determined under paragraph 21 by the day school A.D.E. for the board, counting only elementary school pupils of the board.
- (4) The base fee for a secondary school pupil enrolled in a school operated by a district school board is determined as follows:
1. Take the portion of the pupil foundation allocation determined under paragraph 2 of section 15 of the grant regulation.
  2. Determine an amount on account of the school foundation allocation for secondary school pupils, as follows:
    - i. Determine the sum of the following amounts:
      - A. The amounts determined under paragraphs 4 and 6 of subsection 16 (4) of the grant regulation.
      - B. The amount determined under paragraph 17 of subsection 16 (5) of the grant regulation.
      - C. The amount determined under paragraph 18 of subsection 16 (6) of the grant regulation.
      - D. The amounts determined under paragraphs 8 and 12 of subsection 16 (7) of the grant regulation.



- ii. Determine the amount that would be determined under section 16 of the grant regulation as the board's school foundation allocation if the number of qualifying sole elementary schools of the board and the number of qualifying sole secondary schools of the board, were each deemed to be zero.
  - iii. Take the day school A.D.E. for the board, counting only elementary school pupils of the board enrolled in schools that are part of a qualifying combined school of the board within the meaning of subsection 16 (3) of the grant regulation.
  - iv. Multiply the amount determined under subparagraph ii by the number determined under subparagraph iii.
  - v. Divide the amount determined under subparagraph iv by the day school A.D.E. for the board, counting only pupils of the board enrolled in schools that are part of a qualifying combined school of the board within the meaning of subsection 16 (3) of the grant regulation.
  - vi. Subtract the amount determined under subparagraph v from the amount determined under subparagraph i.
3. Determine an amount on account of the special education allocation for secondary school pupils, as follows:
- i. Determine the day school A.D.E. of the board, counting only secondary school pupils of the board.
  - ii. Multiply the number determined under subparagraph i by \$344.88.
  - iii. Calculate the sum of the approved special equipment claims for secondary school pupils of the board for the fiscal year, as determined under section 20 of the grant regulation.
  - iv. Take the part of the special incidence claim for the board for the fiscal year, as determined under subsection 22 (2) of the grant regulation, that is generated by secondary school pupils of the board.
  - v. Divide the high needs amount for the board, as determined under section 21 of the grant regulation, by the day school A.D.E. of the board, counting only pupils of the board.
  - vi. Multiply the result obtained under subparagraph v by the day school A.D.E. of the board, counting only secondary school pupils of the board.
  - vii. Total the amounts obtained under subparagraphs ii, iii, iv and vi.
4. In the case of an English-language district school board, determine an amount on account of the language allocation for secondary school pupils, as follows:
- i. Take the French as a second language amount for secondary school pupils of the board for the fiscal year, as determined under section 26 of the grant regulation.
  - ii. Calculate the part of the ESL/ELD amount for the board that is generated by secondary school pupils of the board, as follows:
    - A. Calculate the part of the ESL/ELD amount for the board, as calculated under subsection 27 (1) of the grant regulation, if only secondary school pupils of the board were counted.
    - B. Take the amount set out for the board in Table 2 of the grant regulation opposite the name of the board.
    - C. Divide the amount referred to in sub-subparagraph B by the day school A.D.E. for the board, counting only pupils of the board.
    - D. Multiply the result obtained under sub-subparagraph C by the day school A.D.E. for the board, counting only secondary school pupils of the board.
    - E. Add the amounts calculated under sub-subparagraphs A and D.
  - iii. Add the amount referred to in subparagraph i and the amount determined under subparagraph ii.
5. In the case of a French-language district school board, determine an amount on account of the language allocation for secondary school pupils, as follows:
- i. Multiply \$757.92 by the day school A.D.E., counting only secondary school pupils of the board.
  - ii. Divide \$189,188.68 by the day school A.D.E. for the board.
  - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
  - iv. Add \$72,093.76 to the amount determined under subparagraph iii.
  - v. Add the amount determined under subparagraph iv to the total of the amounts determined under paragraphs 5, 6 and 7 of subsection 30 (2) of the grant regulation.
  - vi. Calculate the part of the PDF funding level for the board for the fiscal year, as determined under subsection 30 (3) of the grant regulation, that is generated by secondary school pupils of the board.
  - vii. Total the amounts determined under subparagraphs i, v and vi.



6. Determine an amount on account of the First Nation, Métis and Inuit Education supplemental allocation for secondary school pupils as follows:
  - i. Take the Native language amount for secondary school pupils of the board as determined under subsection 31 (3) of the grant regulation.
  - ii. Take the Native Studies amount determined under subsection 31 (4) of the grant regulation.
  - iii. Take the census-based Aboriginal amount determined for the board under subsection 31 (5) of the grant regulation.
  - iv. Divide the amount determined under subparagraph iii by the day school A.D.E. for the board, counting only pupils of the board.
  - v. Multiply the amount determined under subparagraph iv by the day school A.D.E. for the board, counting only secondary school pupils of the board.
  - vi. Total the amounts calculated under subparagraphs i, ii and v.
7. Determine an amount on account of the learning resources for distant schools allocation for secondary school pupils as follows:
  - i. If the amount determined under paragraph 6 of subsection 32 (1) of the grant regulation is greater than the amount determined under paragraph 11 of that subsection, calculate an amount as follows:
    - A. Add to the amount determined under paragraph 4 of subsection 32 (1) of the grant regulation the total of the amounts, if any, set out in Column 7 of Table 5 of the grant regulation opposite the names of secondary schools of the board set out in Column 4 of that Table.
    - B. Add to the amount determined under sub-subparagraph A the amount determined under paragraph 16 of subsection 32 (1) of the grant regulation.
  - ii. If the amount determined under paragraph 6 of subsection 32 (1) of the grant regulation is less than or equal to the amount determined under paragraph 11 of that subsection, calculate an amount as follows:
    - A. Take the amount determined under paragraph 10 of subsection 32 (1) of the grant regulation.
    - B. Add to the amount determined under sub-subparagraph A the amount determined under paragraph 16 of subsection 32 (1) of the grant regulation.
    - C. Add to the amount determined under sub-subparagraph B the total of the amounts, if any, set out in Column 7 of Table 5 of the grant regulation opposite the names of secondary schools of the board set out in Column 4 of that Table where the distance set out in Column 6 of that Table is less than 60 kilometres.
    - D. Determine the amount that would be determined under subsection 32 (1) of the grant regulation as the board's learning resources for distant schools allocation if the number of qualifying sole elementary schools of the board and the number of qualifying sole secondary schools of the board were each deemed to be zero.
    - E. Take the day school A.D.E. for the board, counting only elementary school pupils of the board enrolled in schools that are part of a qualifying combined school of the board within the meaning of subsection 16 (3) of the grant regulation.
    - F. Multiply the amount determined under sub-subparagraph D by the number determined under sub-subparagraph E.
    - G. Divide the amount determined under sub-subparagraph F by the day school A.D.E. for the board, counting only pupils of the board enrolled in schools that are part of a qualifying combined school of the board within the meaning of subsection 16 (3) of the grant regulation.
    - H. Subtract the amount determined under sub-subparagraph G from the amount determined under sub-subparagraph C.
8. Determine an amount on account of the remote and rural allocation for secondary school pupils, as follows:
  - i. Divide the amount of the board's remote and rural allocation for the fiscal year, as determined under section 33 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only secondary school pupils of the board.
9. Determine an amount on account of the rural and small community allocation for secondary school pupils, as follows:
  - i. Divide the amount of the board's rural and small community allocation for the year, if any, as determined under section 34 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only secondary school pupils of the board.

10. Determine an amount on account of the new teacher induction program amount for secondary school pupils of the board as follows, where the terms "new teacher" and "new teaching period" have the same meaning as in Part X.0.1 of the Act:
  - i. Multiply the amount determined under subsection 39 (1) of the grant regulation by the number of secondary school teachers of the board who are new teachers and whose new teaching period commences between October 2, 2007 and October 31, 2008.
  - ii. Divide the product determined under subparagraph i by the number of teachers of the board who are new teachers and whose new teaching period commences between October 2, 2007 and October 31, 2008.
11. Determine an amount on account of the learning opportunities allocation for secondary school pupils, as follows:
  - i. Take the total of,
    - A. the amount determined for the board under paragraph 1 of subsection 35 (1) of the grant regulation,
    - B. the amount determined for the board under paragraph 4 of subsection 35 (4) of the grant regulation, and
    - C. \$153,734.
  - ii. Divide the amount determined under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
  - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
  - iv. Take the total of,
    - A. the amount determined for the board under paragraph 1 of subsection 35 (4) of the grant regulation, and
    - B. the amount determined for the board under paragraph 6 of subsection 35 (4) of the grant regulation.
  - v. Add the amounts determined under subparagraphs iii and iv.
12. Determine an amount on account of the safe schools allocation for secondary school pupils as follows:
  - i. Divide the amount of the board's safe schools allocation for the year, if any, as determined under section 36 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only secondary school pupils of the board.
13. Take the secondary school teacher qualification and experience amount for the fiscal year, as determined under subsection 40 (2) of the grant regulation.
14. Determine an amount on account of the cost adjustment for non-teachers for secondary school pupils as follows:
  - i. Divide the amount set out in Column 2 of Table 10 of the grant regulation opposite the name of the board in Column 1 by the day school A.D.E. for the board, counting only pupils of the board.
  - ii. Multiply the amount determined under subparagraph i by the day school A.D.E. for the board, counting only secondary school pupils of the board.
15. Determine an amount on account of the administration and governance allocation for secondary school pupils, as follows:
  - i. Subtract the total of the amounts determined under paragraphs 13 and 14 of subsection 42 (2) of the grant regulation from the amount of the board's administration and governance allocation for the fiscal year, as determined under section 42 of the grant regulation.
  - ii. Divide the amount determined under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
  - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
  - iv. Add the total of the amounts determined under paragraphs 13 and 14 of subsection 42 (2) of the grant regulation to the amount determined under subparagraph iii.
16. Determine an amount on account of the program enhancement allocation for secondary school pupils, as follows:
  - i. Take the number of qualifying sole secondary schools of the board within the meaning of subsection 16 (3) of the grant regulation.
  - ii. Take the number of qualifying combined schools of the board within the meaning of subsection 16 (3) of the grant regulation.
  - iii. Total the numbers determined under subparagraphs i and ii.
  - iv. Multiply the number determined under subparagraph iii by \$9,650.



17. Determine an amount on account of the school operations part of the pupil accommodation allocation for secondary school pupils, by multiplying the benchmark operating cost of \$67.41 per metre squared,
    - i. by the adjusted secondary school area requirement for the board determined under paragraph 13 of subsection 46 (1) of the grant regulation, if a supplementary secondary school area factor is approved for the board under that section, or
    - ii. by the secondary school area requirement for the board determined under paragraph 12 of subsection 46 (1) of the grant regulation, if no supplementary secondary school area factor is approved for the board under that section.
  18. Take the total of the amounts determined in respect of the board under paragraphs 31, 36, 40 and 43 of subsection 46 (1) of the grant regulation.
  19. Determine an amount on account of the board's adjustment for declining enrolment in respect of secondary school pupils by,
    - i. dividing the amount of the board's adjustment for declining enrolment, if any, as determined under section 58 of the grant regulation, by the day school A.D.E. for the board, counting only pupils of the board, and
    - ii. multiplying the amount determined under subparagraph i by the day school A.D.E. for the board, counting only secondary school pupils of the board.
  20. Total the amounts determined for the board under paragraphs 1 to 19.
  21. Divide the amount determined under paragraph 20 by the day school A.D.E. for the board, counting only secondary school pupils of the board.
- (5) The base fee for a pupil who is enrolled in a school operated by an isolate board is determined as follows:
1. Take the approved expenditure of the board within the meaning of subsection 63 (1) of the grant regulation.
  2. Deduct the amount of the approved expenditure referred to in paragraph 1 that relates to transportation.
  3. Deduct the amount of the approved expenditure referred to in paragraph 1 that relates to school renewal.
  4. Divide the amount obtained under paragraph 3 by the day school A.D.E. for the board, counting only pupils of the board.
- (6) The fee in respect of a pupil described in subsection (1) who is enrolled in a high cost program may be increased, at the option of the board, to the amount determined by multiplying the fee that would otherwise be payable,
- (a) by a factor agreed on by the board providing the instruction and the party from whom the fee is receivable; or
  - (b) by a factor determined in the manner described in subsection (8) if the board and the party cannot agree on a factor.
- (7) If the board providing the instruction and the party from whom the fee is receivable cannot agree on a factor, the factor shall be determined by three arbitrators, appointed as follows:
1. One arbitrator appointed by the board that provides the instruction.
  2. One arbitrator appointed by the party from whom the fee is receivable.
  3. One arbitrator appointed by the arbitrators appointed under paragraphs 1 and 2.
- (8) The decision of the arbitrators or a majority of them is final and binding on the board providing the instruction and on the party from whom the fee is receivable.
- (9) This section does not apply in respect of a pupil to whom subsection 49 (6) of the Act applies.

#### **Fees, residing in Ontario**

4. (1) This section applies in respect of a pupil described in subsection 46 (2) of the Act who is enrolled in a day school program in a school of a district school board or an isolate board and who resides in a school section, separate school zone or secondary school district in which the pupil's parent or guardian resides, on land that is exempt from taxation for the purposes of any board.

(2) The fee that a board shall charge in respect of a pupil described in subsection (1) to the parent or guardian is \$40 for each month or part of a month the pupil is enrolled in a school of the board.

(3) A board charging a parent or guardian a fee of \$40 for any month or part of a month under subsection (2) in respect of a pupil described in subsection (1) who is enrolled in a school of the board shall not charge the parent or guardian any fee under subsection (2) for the same month or part of a month in respect of another pupil described in subsection (1) who is enrolled in a school of the board.

(4) This section does not apply in respect of a pupil to whom subsection 49 (6) of the Act applies.

#### **Fees, not residing in Ontario**

5. (1) The fee in respect of a pupil who is enrolled in a day school program in a school of a district school board or an isolate board and whose parent or guardian does not reside in Ontario is an amount determined by the board that does not exceed the maximum fee determined under subsection (2) or (3).



(2) Except as is provided in subsection (3), the maximum fee is the amount calculated as follows:

1. Add the base fee determined for the pupil under subsection 3 (3), (4) or (5), as applicable, and the P.A.C. for the pupil.
2. Multiply the amount obtained under paragraph 1 by 0.1.
3. Multiply the result obtained under paragraph 2 by the number of months or part months during which the pupil is enrolled in a school operated by the board.

(3) If the pupil is enrolled in a high cost program, the maximum fee is the total of the amount calculated under subsection (2) and such additional amount as may be determined by the board that does not exceed the additional cost to the board of providing the high cost program to the pupil.

(4) This section does not apply in respect of a pupil,

(a) to whom subsection 49 (6) of the Act applies; or

(b) who was a pupil of a board for the purposes of Ontario Regulation 152/07 (Grants for Student Needs — Legislative Grants for the 2007-2008 School Board Fiscal Year), made under the Act.

#### **Fees, s. 68 boards**

6. (1) The fee in respect of a pupil who is enrolled in a day school program in a school operated by a section 68 board and whose parent or guardian does not reside in Ontario is the amount determined as follows:

1. Take the expenditure of the board for the fiscal year that is acceptable to the Minister for grant purposes, excluding,
  - i. expenditures for debt charges,
  - ii. expenditures for the purchase of capital assets, as determined under the grant regulation,
  - iii. expenditures for the restoration of destroyed or damaged capital assets, as determined under the grant regulation, and
  - iv. provisions for reserves for working funds and provisions for reserve funds.
2. Deduct the revenue of the board for the fiscal year from,
  - i. any organization on whose property a school of the board is located, and
  - ii. refunds of expenditure of the kind described in subparagraph 1 i, ii or iii.
3. Determine the number of pupil days for the period September 1, 2008 to August 31, 2009 by adding, for each instructional day in that period, the number of pupils enrolled in schools of the board who receive instruction on that day.
4. Divide the amount obtained under paragraph 2 by the total number of pupil days determined under paragraph 3.
5. Multiply the result obtained under paragraph 4 by the number of instructional days for which the pupil is enrolled in a school of the board during the same period.

(2) This section does not apply to a pupil to whom subsection 49 (6) of the Act applies.

#### **Fees, pupils to whom s. 49 (6) of the Act applies**

7. (1) The fee in respect of a pupil who is enrolled in a day school program and to whom subsection 49 (6) of the Act applies is the amount determined in accordance with a fees policy developed for the purposes of this section by the board that operates the school in which the pupil is enrolled.

(2) A board's fee policy must not authorize a fee in respect of an elementary school pupil that is less than the amount that would be calculated under subsection 3 (2) of this Regulation in respect of an elementary school pupil, if that subsection had applied to the pupil and subsection 49 (6) of the Act had not applied to the pupil.

(3) A board's fee policy must not authorize a fee in respect of a secondary school pupil that is less than the amount that would be calculated under subsection 3 (2) of this Regulation in respect of a secondary school pupil, if that subsection had applied to the pupil and subsection 49 (6) of the Act had not applied to the pupil.

#### **Fees, summer school and continuing education**

8. (1) The fee in respect of a pupil to whom subsection 49 (6) of the Act applies and who is enrolled in a summer school or continuing education class or course provided by a district school board or an isolate board is the amount determined by the board.

(2) The fee referred to in subsection (1) in respect of a pupil enrolled in a continuing education class or course of the board shall not be less than the fee determined by applying paragraphs 1 to 3 of subsection (4).

(3) The fee referred to in subsection (1) in respect of a pupil enrolled in a summer school program of the board shall not be less than the fee determined by applying paragraphs 1 to 3 of subsection (5).

(4) The fee in respect of a pupil described in subsection 3 (1) or 5 (1) who is enrolled in a continuing education class or course provided by a district school board or an isolate board is such amount as may be agreed on by the board and the party from whom the fee is receivable or, in the absence of agreement, the amount determined as follows:

1. Determine the expenditure of the board in the fiscal year for continuing education classes or courses.
2. Divide the amount determined under paragraph 1 by the continuing education A.D.E. for the board.
3. Multiply the result obtained under paragraph 2 by the continuing education A.D.E. for the board, counting only pupils described in this subsection.

(5) The fee in respect of a pupil described in subsection 3 (1) or 5 (1) who is enrolled in a summer school class or course provided by a district school board or an isolate board is such amount as may be agreed on by the board and the party from whom the fee is receivable or, in the absence of agreement, the amount determined as follows:

1. Determine the expenditure of the board in the fiscal year for summer school classes or courses.
2. Divide the amount determined under paragraph 1 by the summer school A.D.E. for the board.
3. Multiply the result obtained under paragraph 2 by the summer school A.D.E. for the board, counting only pupils described in this subsection.

#### No fee between boards

9. No fee is payable under this Regulation by one board to another board.

#### Commencement

10. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 84/08

pris en application de la

### LOI SUR L'ÉDUCATION

pris le 1<sup>er</sup> avril 2008

approuvé le 2 avril 2008

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## CALCUL DES DROITS EXIGIBLES À L'ÉGARD DES ÉLÈVES POUR L'EXERCICE 2008-2009 DES CONSEILS SCOLAIRES

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#### Interprétation

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«classe ou cours d'éducation permanente» S'entend au sens de l'article 3 du règlement sur l'effectif quotidien moyen. («continuing education class or course»)

«classe ou cours d'été» S'entend au sens du paragraphe 4 (1) du règlement sur l'effectif quotidien moyen. («summer school class or course»)

«conseil créé en vertu de l'article 68» Conseil créé en vertu de l'article 68 de la Loi. («section 68 board»)

«conseil isolé» Administration scolaire, à l'exclusion d'un conseil créé en vertu de l'article 68. («isolate board»)

«effectif quotidien moyen de jour» À l'égard d'un conseil, s'entend de l'effectif quotidien moyen de jour du conseil calculé en application de l'article 2 du règlement sur l'effectif quotidien moyen. («day school A.D.E.»)

«effectif quotidien moyen des cours d'éducation permanente» À l'égard d'un conseil, s'entend de l'effectif quotidien moyen des cours d'éducation permanente du conseil calculé en application de l'article 3 du règlement sur l'effectif quotidien moyen. («continuing education A.D.E.»)

«effectif quotidien moyen des cours d'été» À l'égard d'un conseil, s'entend de l'effectif quotidien moyen des cours d'été du conseil calculé en application de l'article 4 du règlement sur l'effectif quotidien moyen. («summer school A.D.E.»)

«élève de l'élémentaire» Élève inscrit à la maternelle, au jardin d'enfants ou à l'une des huit premières années d'études. («elementary school pupil»)

«élève du secondaire» Élève inscrit à la neuvième, dixième, onzième ou douzième année d'études. («secondary school pupil»)

«frais de pension» À l'égard d'un élève, s'entend des frais de pension de l'élève calculés en application des paragraphes (3) et (4). («P.A.C.»)

«programme à coût élevé» Selon le cas :

- a) programme d'enseignement à l'enfance en difficulté;
- b) tout autre programme dont le conseil et la partie qui doit payer les droits de scolarité conviennent qu'il s'agit d'un programme à coût élevé pour l'application du présent règlement. («high cost program»)

«programme scolaire de jour» Les classes ou cours d'éducation permanente et les classes ou cours d'été ne sont pas compris dans les programmes scolaires de jour. («day school program»)

«règlement sur l'effectif quotidien moyen» Le Règlement de l'Ontario 83/08 («Calcul de l'effectif quotidien moyen pour l'exercice 2008-2009 des conseils scolaires») pris en application de la Loi. («A.D.E. regulation»)

«règlement sur les subventions» Le Règlement de l'Ontario 85/08 («Subventions pour les besoins des élèves — subventions générales pour l'exercice 2008-2009 des conseils scolaires») pris en application de la Loi. («grant regulation»)

(2) Les règles suivantes s'appliquent dans le cadre du présent règlement :

1. Un élève est considéré comme un élève d'un conseil s'il l'est pour l'application du règlement sur les subventions.
2. L'effectif quotidien moyen de jour d'un élève inscrit à une école qui relève d'un conseil est l'effectif quotidien moyen de jour du conseil calculé comme si l'élève était le seul élève du conseil.

(3) Les frais de pension sont de 141 \$ dans le cas d'un élève de l'élémentaire et de 282 \$ dans le cas d'un élève du secondaire.

(4) Malgré le paragraphe (3), si un conseil a conclu, en vertu du paragraphe 188 (3) de la Loi, une entente qui prévoit le paiement, par la Couronne du chef du Canada, d'une somme permettant la fourniture de facilités d'accueil à un nombre précis d'élèves, les frais de pension de chaque élève visé par l'entente sont nuls.

#### Application

2. Le présent règlement s'applique à l'égard de l'exercice des conseils qui commence le 1<sup>er</sup> septembre 2008 et qui se termine le 31 août 2009.

#### Enseignement aux Indiens

3. (1) Le présent article s'applique à l'égard de l'élève inscrit à un programme scolaire de jour dans une école qui relève d'un conseil scolaire de district ou d'un conseil isolé si le conseil peut recevoir des droits à l'égard de cet élève :

- a) soit de la Couronne du chef du Canada;
- b) soit d'une bande, d'un conseil de bande ou d'une commission indienne de l'éducation que la Couronne du chef du Canada autorise à dispenser l'enseignement aux Indiens.

(2) Les droits exigibles à l'égard de l'élève sont calculés en multipliant l'effectif quotidien moyen de jour de l'élève par la somme des frais de pension de l'élève et des droits de base calculés :

- a) en application du paragraphe (3), dans le cas d'un élève de l'élémentaire inscrit à une école qui relève d'un conseil scolaire de district;
- b) en application du paragraphe (4), dans le cas d'un élève du secondaire inscrit à une école qui relève d'un conseil scolaire de district;
- c) en application du paragraphe (5), dans le cas d'un élève inscrit à une école qui relève d'un conseil isolé.

(3) Les droits de base relatifs à un élève de l'élémentaire inscrit à une école qui relève d'un conseil scolaire de district sont calculés de la manière suivante :



1. Prendre la part de l'élément éducation de base pour les élèves qui est calculée en application de la disposition 1 de l'article 15 du règlement sur les subventions.
2. Calculer la part de l'élément éducation de base pour les écoles qui vise les élèves de l'élémentaire en additionnant ce qui suit :
  - i. Les sommes calculées en application des dispositions 1 et 2 du paragraphe 16 (4) du règlement sur les subventions.
  - ii. La somme calculée en application de la disposition 8 du paragraphe 16 (5) du règlement sur les subventions.
  - iii. La somme calculée en application de la disposition 9 du paragraphe 16 (6) du règlement sur les subventions.
  - iv. La somme calculée en application de la disposition 4 du paragraphe 16 (7) du règlement sur les subventions.
  - v. La somme calculée en application de la sous-disposition 2 v du paragraphe (4).
3. Prendre la somme liée à l'élément effectif des classes du cycle primaire, calculée en application de l'article 17 du règlement sur les subventions, qui est versée au conseil pour l'exercice.
4. Calculer la part de l'élément éducation de l'enfance en difficulté qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Calculer l'effectif quotidien moyen de jour du conseil, en ne comptant que les élèves inscrits à la maternelle, au jardin d'enfants et aux première, deuxième et troisième années.
  - ii. Multiplier le nombre obtenu en application de la sous-disposition i par 678,59 \$ pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour les élèves de la maternelle aux première, deuxième et troisième années.
  - iii. Prendre l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que les élèves inscrits aux quatrième, cinquième, sixième, septième et huitième années.
  - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par 522,38 \$ pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour les élèves des quatrième, cinquième, sixième, septième et huitième années.
  - v. Faire le total de toutes les demandes d'équipement personnalisé approuvées à l'égard des élèves de l'élémentaire du conseil pour l'exercice, calculées en application de l'article 20 du règlement sur les subventions.
  - vi. Prendre la part de la demande pour incidence spéciale du conseil pour l'exercice, calculée en application du paragraphe 22 (2) du règlement sur les subventions, qui vise ses élèves de l'élémentaire.
  - vii. Diviser la somme liée aux besoins élevés du conseil, calculée en application de l'article 21 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - viii. Multiplier le résultat obtenu en application de la sous-disposition vii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - ix. Additionner les sommes obtenues en application des sous-dispositions ii, iv, v, vi et viii.
5. Dans le cas d'un conseil scolaire de district de langue anglaise, calculer la part de l'élément enseignement des langues qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Prendre la somme liée aux programmes de français langue seconde pour les élèves de l'élémentaire du conseil pour l'exercice, calculée en application de l'article 26 du règlement sur les subventions.
  - ii. Calculer la part de la somme liée aux programmes d'ESL/ELD du conseil qui vise ses élèves de l'élémentaire de la manière suivante :
    - A. Calculer la part de la somme liée aux programmes d'ESL/ELD du conseil, calculée en application du paragraphe 27 (1) du règlement sur les subventions, si seulement les élèves de l'élémentaire du conseil ont été comptés.
    - B. Prendre la somme indiquée pour le conseil au tableau 2 du règlement sur les subventions en regard du nom du conseil.
    - C. Diviser la somme visée à la sous-sous-disposition B par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - D. Multiplier le résultat obtenu en application de la sous-sous-disposition C par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
    - E. Additionner les sommes calculées en application des sous-sous-dispositions A et D.
  - iii. Additionner la somme visée à la sous-disposition i et la somme calculée en application de la sous-disposition ii.

6. Dans le cas d'un conseil scolaire de district de langue française, calculer la part de l'élément enseignement des langues qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Multiplier par 667,63 \$ le nombre d'élèves de l'élémentaire du conseil au 31 octobre 2008.
  - ii. Diviser 189 188,68 \$ par l'effectif quotidien moyen de jour du conseil.
  - iii. Multiplier le résultat obtenu en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - iv. Ajouter le produit obtenu en application de la sous-disposition iii au total des sommes calculées en application des dispositions 2 et 3 du paragraphe 30 (2) du règlement sur les subventions.
  - v. Calculer la part du niveau de financement des programmes de PDF du conseil pour l'exercice, calculé en application du paragraphe 30 (3) du règlement sur les subventions, qui vise les élèves de l'élémentaire du conseil.
  - vi. Additionner les sommes calculées en application des sous-dispositions i, iv et v.
7. Calculer la part de l'élément éducation des Premières nations, des Métis et des Inuits qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Prendre la somme liée aux programmes de langue autochtone qui est versée pour les élèves de l'élémentaire du conseil, calculée en application du paragraphe 31 (2) du règlement sur les subventions.
  - ii. Prendre la somme liée à la proportion d'autochtones selon le recensement qui est calculée pour le conseil en application du paragraphe 31 (5) du règlement sur les subventions.
  - iii. Diviser la somme obtenue en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - iv. Multiplier la somme calculée en application de la sous-disposition iii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - v. Additionner les sommes obtenues en application des sous-dispositions i et iv.
8. Calculer la part de l'élément ressources d'apprentissage pour écoles éloignées qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Si la somme calculée en application de la disposition 6 du paragraphe 32 (1) du règlement sur les subventions est supérieure à celle calculée en application de la disposition 11 de ce paragraphe, calculer une somme de la manière suivante :
    - A. Ajouter à la somme calculée en application de la disposition 2 du paragraphe 32 (1) du règlement sur les subventions le total des sommes éventuelles indiquées à la colonne 7 du tableau 5 du même règlement en regard du nom des écoles élémentaires du conseil figurant à la colonne 3 du tableau.
    - B. Ajouter à la somme calculée en application de la sous-sous-disposition A celle calculée en application de la disposition 14 du paragraphe 32 (1) du règlement sur les subventions.
  - ii. Si la somme calculée en application de la disposition 6 du paragraphe 32 (1) du règlement sur les subventions est inférieure ou égale à celle calculée en application de la disposition 11 de ce paragraphe, calculer une somme de la manière suivante :
    - A. Prendre la somme calculée en application de la disposition 8 du paragraphe 32 (1) du règlement sur les subventions.
    - B. Ajouter à la somme calculée en application de la sous-sous-disposition A celle calculée en application de la disposition 14 du paragraphe 32 (1) du règlement sur les subventions.
    - C. Ajouter à la somme calculée en application de la sous-sous-disposition B le total des sommes éventuelles indiquées à la colonne 7 du tableau 5 du règlement sur les subventions en regard du nom des écoles élémentaires du conseil figurant à la colonne 3 de ce tableau si la distance indiquée à la colonne 6 du même tableau est inférieure à 30 kilomètres.
    - D. Ajouter à la somme calculée en application de la sous-sous-disposition C celle calculée en application de la sous-disposition 7 ii du paragraphe (4).
9. Calculer la part de l'élément conseils ruraux et éloignés qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Diviser l'élément conseils ruraux et éloignés du conseil pour l'année, calculé en application de l'article 33 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.



10. Calculer la part de l'élément collectivités rurales et de petite taille qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Diviser l'élément collectivités rurales et de petite taille du conseil pour l'année, le cas échéant, calculé en application de l'article 34 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
11. Calculer la part de la somme liée au programme d'insertion professionnelle du nouveau personnel enseignant qui vise les élèves de l'élémentaire de la manière suivante, où les termes «nouvel enseignant» et «nouvelle période d'enseignement» s'entendent au sens de la partie X.0.1 de la Loi :
  - i. Multiplier la somme calculée en application du paragraphe 39 (1) du règlement sur les subventions par le nombre d'enseignants de l'élémentaire du conseil qui sont de nouveaux enseignants et dont la nouvelle période d'enseignement commence entre le 2 octobre 2007 et le 31 octobre 2008.
  - ii. Diviser le produit obtenu en application de la sous-disposition i par le nombre d'enseignants du conseil qui sont de nouveaux enseignants et dont la nouvelle période d'enseignement commence entre le 2 octobre 2007 et le 31 octobre 2008.
12. Calculer la part de l'élément programmes d'aide à l'apprentissage qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Prendre le total de ce qui suit :
    - A. la somme calculée pour le conseil en application de la disposition 1 du paragraphe 35 (1) du règlement sur les subventions,
    - B. la somme calculée pour le conseil en application de la disposition 4 du paragraphe 35 (4) du règlement sur les subventions,
    - C. 153 734 \$.
  - ii. Diviser la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - iii. Multiplier la somme calculée en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - iv. Prendre le total de ce qui suit :
    - A. la somme calculée pour le conseil en application de la disposition 2 du paragraphe 35 (4) du règlement sur les subventions,
    - B. la somme calculée pour le conseil en application de la disposition 8 du paragraphe 35 (4) du règlement sur les subventions.
  - v. Additionner les sommes calculées en application des sous-dispositions iii et iv.
13. Calculer la part de l'élément sécurité dans les écoles qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Diviser l'élément sécurité dans les écoles du conseil pour l'année, le cas échéant, calculé en application de l'article 36 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
14. Prendre la somme liée à la compétence et à l'expérience des enseignants de l'élémentaire pour l'exercice, calculée en application du paragraphe 40 (1) du règlement sur les subventions.
15. Calculer la part de l'élément redressement des coûts pour le personnel non enseignant qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Diviser la somme indiquée à la colonne 2 du tableau 10 du règlement sur les subventions en regard du nom du conseil à la colonne 1 par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
16. Calculer la part de l'élément administration et gestion qui vise les élèves de l'élémentaire de la manière suivante :
  - i. Soustraire le total des sommes calculées en application des dispositions 13 et 14 du paragraphe 42 (2) du règlement sur les subventions de la part de l'élément administration et gestion du conseil pour l'exercice, calculé en application de l'article 42 du même règlement.



- ii. Diviser la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - iii. Multiplier la somme calculée en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - 17. Calculer la part de l'élément amélioration des programmes qui vise les élèves de l'élémentaire de la manière suivante :
    - i. Prendre le nombre d'écoles élémentaires admissibles du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - ii. Multiplier le nombre obtenu en application de la sous-disposition i par 9 650 \$.
  - 18. Calculer la part de la portion fonctionnement des écoles de l'élément installations d'accueil pour les élèves qui vise les élèves de l'élémentaire en multipliant par le coût repère de fonctionnement de 67,41 \$ le mètre carré :
    - i. soit la superficie redressée des écoles élémentaires requise pour le conseil calculée en application de la disposition 3 du paragraphe 46 (1) du règlement sur les subventions, si un facteur relatif à la superficie supplémentaire des écoles élémentaires est approuvé pour le conseil en application de cet article,
    - ii. soit la superficie des écoles élémentaires requise pour le conseil calculée en application de la disposition 2 du paragraphe 46 (1) du règlement sur les subventions, si aucun facteur relatif à la superficie supplémentaire des écoles élémentaires n'est approuvé pour le conseil en application de cet article.
  - 19. Prendre le total des sommes calculées à l'égard du conseil en application des dispositions 17, 22, 26 et 29 du paragraphe 46 (1) du règlement sur les subventions.
  - 20. Calculer la part de la somme liée au redressement pour baisse des effectifs du conseil qui vise les élèves de l'élémentaire de la manière suivante :
    - i. Diviser la somme liée au redressement pour baisse des effectifs du conseil, le cas échéant, calculée en application de l'article 58 du règlement sur les subventions par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
  - 21. Additionner les sommes calculées pour le conseil en application des dispositions 1 à 20.
  - 22. Diviser la somme calculée en application de la disposition 21 par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire.
- (4) Les droits de base relatifs à un élève du secondaire inscrit à une école qui relève d'un conseil scolaire de district sont calculés de la manière suivante :
- 1. Prendre la part de l'élément éducation de base pour les élèves calculée en application de la disposition 2 de l'article 15 du règlement sur les subventions.
  - 2. Calculer la part de l'élément éducation de base pour les écoles qui vise les élèves du secondaire de la manière suivante :
    - i. Calculer le total de ce qui suit :
      - A. Les sommes calculées en application des dispositions 4 et 6 du paragraphe 16 (4) du règlement sur les subventions.
      - B. La somme calculée en application de la disposition 17 du paragraphe 16 (5) du règlement sur les subventions.
      - C. La somme calculée en application de la disposition 18 du paragraphe 16 (6) du règlement sur les subventions.
      - D. Les sommes calculées en application des dispositions 8 et 12 du paragraphe 16 (7) du règlement sur les subventions.
    - ii. Calculer la somme qui serait calculée comme étant la part de l'élément éducation de base pour les écoles du conseil en application de l'article 16 du règlement sur les subventions si le nombre de ses écoles élémentaires admissibles et celui de ses écoles secondaires admissibles étaient chacun réputés nuls.
    - iii. Prendre l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire inscrits aux écoles qui font partie d'une école combinée admissible du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - iv. Multiplier la somme calculée en application de la sous-disposition ii par le nombre obtenu en application de la sous-disposition iii.

- v. Diviser la somme calculée en application de la sous-disposition iv par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves inscrits aux écoles qui font partie d'une école combinée admissible du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
  - vi. Soustraire la somme calculée en application de la sous-disposition v de celle calculée en application de la sous-disposition i.
3. Calculer la part de l'élément éducation de l'enfance en difficulté qui vise les élèves du secondaire de la manière suivante :
- i. Calculer l'effectif quotidien moyen de jour du conseil, en ne comptant que ses élèves du secondaire.
  - ii. Multiplier le nombre obtenu en application de la sous-disposition i par 344,88 \$.
  - iii. Calculer la somme des demandes d'équipement personnalisé approuvées pour l'exercice, calculées en application de l'article 20 du règlement sur les subventions, qui visent les élèves du secondaire du conseil.
  - iv. Prendre la part de la demande pour incidence spéciale du conseil pour l'exercice, calculée en application du paragraphe 22 (2) du règlement sur les subventions, qui vise les élèves du secondaire du conseil.
  - v. Diviser la somme liée aux besoins élevés du conseil, calculée en application de l'article 21 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - vi. Multiplier le résultat obtenu en application de la sous-disposition v par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
  - vii. Additionner les sommes obtenues en application des sous-dispositions ii, iii, iv et vi.
4. Dans le cas d'un conseil scolaire de district de langue anglaise, calculer la part de l'élément enseignement des langues qui vise les élèves du secondaire de la manière suivante :
- i. Prendre la somme liée aux programmes de français langue seconde pour les élèves du secondaire du conseil pour l'exercice, calculée en application de l'article 26 du règlement sur les subventions.
  - ii. Calculer la part de la somme liée aux programmes d'ESL/ELD du conseil qui vise ses élèves du secondaire de la manière suivante :
    - A. Calculer la part de la somme liée aux programmes d'ESL/ELD du conseil, calculée en application du paragraphe 27 (1) du règlement sur les subventions, si seulement les élèves du secondaire du conseil ont été comptés.
    - B. Prendre la somme indiquée pour le conseil au tableau 2 du règlement sur les subventions en regard du nom du conseil.
    - C. Diviser la somme visée à la sous-sous-disposition B par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - D. Multiplier le résultat obtenu en application de la sous-sous-disposition C par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
    - E. Additionner les sommes calculées en application des sous-sous-dispositions A et D.
  - iii. Additionner la somme visée à la sous-disposition i et la somme calculée en application de la sous-disposition ii.
5. Dans le cas d'un conseil scolaire de district de langue française, calculer la part de l'élément enseignement des langues qui vise les élèves du secondaire de la manière suivante :
- i. Multiplier 757,92 \$ par l'effectif quotidien moyen de jour, calculé en ne comptant que les élèves du secondaire du conseil.
  - ii. Diviser 189 188,68 \$ par l'effectif quotidien moyen de jour du conseil.
  - iii. Multiplier le résultat obtenu en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
  - iv. Ajouter 72 093,76 \$ à la somme calculée en application de la sous-disposition iii.
  - v. Ajouter la somme obtenue en application de la sous-disposition iv au total des sommes calculées en application des dispositions 5, 6 et 7 du paragraphe 30 (2) du règlement sur les subventions.
  - vi. Calculer la part du niveau de financement des programmes de PDF du conseil pour l'exercice, calculé en application du paragraphe 30 (3) du règlement sur les subventions, qui vise les élèves du secondaire du conseil.
  - vii. Additionner les sommes calculées en application des sous-dispositions i, v et vi.



6. Calculer la part de l'élément éducation des Premières nations, des Métis et des Inuits qui vise les élèves du secondaire de la manière suivante :
  - i. Prendre la somme liée aux programmes de langue autochtone qui est versée pour les élèves du secondaire du conseil, calculée en application du paragraphe 31 (3) du règlement sur les subventions.
  - ii. Prendre la somme liée aux études autochtones calculée en application du paragraphe 31 (4) du règlement sur les subventions.
  - iii. Prendre la somme liée à la proportion d'autochtones selon le recensement qui est calculée pour le conseil en application du paragraphe 31 (5) du règlement sur les subventions.
  - iv. Diviser la somme obtenue en application de la sous-disposition iii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - v. Multiplier la somme calculée en application de la sous-disposition iv par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
  - vi. Additionner les sommes calculées en application des sous-dispositions i, ii et v.
7. Calculer la part de l'élément ressources d'apprentissage pour écoles éloignées qui vise les élèves du secondaire de la manière suivante :
  - i. Si la somme calculée en application de la disposition 6 du paragraphe 32 (1) du règlement sur les subventions est supérieure à celle calculée en application de la disposition 11 de ce paragraphe, calculer une somme de la manière suivante :
    - A. Ajouter à la somme calculée en application de la disposition 4 du paragraphe 32 (1) du règlement sur les subventions le total des sommes éventuelles indiquées à la colonne 7 du tableau 5 du même règlement en regard du nom des écoles secondaires du conseil figurant à la colonne 4 du tableau.
    - B. Ajouter à la somme calculée en application de la sous-sous-disposition A celle calculée en application de la disposition 16 du paragraphe 32 (1) du règlement sur les subventions.
  - ii. Si la somme calculée en application de la disposition 6 du paragraphe 32 (1) du règlement sur les subventions est inférieure ou égale à celle calculée en application de la disposition 11 de ce paragraphe, calculer une somme de la manière suivante :
    - A. Prendre la somme calculée en application de la disposition 10 du paragraphe 32 (1) du règlement sur les subventions.
    - B. Ajouter à la somme calculée en application de la sous-sous-disposition A celle calculée en application de la disposition 16 du paragraphe 32 (1) du règlement sur les subventions.
    - C. Ajouter à la somme calculée en application de la sous-sous-disposition B le total des sommes éventuelles indiquées à la colonne 7 du tableau 5 du règlement sur les subventions en regard du nom des écoles secondaires du conseil figurant à la colonne 4 de ce tableau si la distance indiquée à la colonne 6 du même tableau est inférieure à 60 kilomètres.
    - D. Calculer la somme qui serait calculée comme étant la part de l'élément ressources d'apprentissage pour écoles éloignées du conseil en application du paragraphe 32 (1) du règlement sur les subventions si le nombre de ses écoles élémentaires admissibles et celui de ses écoles secondaires admissibles étaient chacun réputés nuls.
    - E. Prendre l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves de l'élémentaire inscrits aux écoles qui font partie d'une école combinée admissible du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - F. Multiplier la somme calculée en application de la sous-sous-disposition D par le nombre obtenu en application de la sous-sous-disposition E.
    - G. Diviser la somme calculée en application de la sous-sous-disposition F par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves inscrits aux écoles qui font partie d'une école combinée admissible du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - H. Soustraire la somme calculée en application de la sous-sous-disposition G de celle calculée en application de la sous-sous-disposition C.
8. Calculer la part de l'élément conseils ruraux et éloignés qui vise les élèves du secondaire de la manière suivante :
  - i. Diviser l'élément conseils ruraux et éloignés du conseil pour l'exercice, calculé en application de l'article 33 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.



- ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
9. Calculer la part de l'élément collectivités rurales et de petite taille qui vise les élèves du secondaire de la manière suivante :
  - i. Diviser l'élément collectivités rurales et de petite taille du conseil pour l'année, le cas échéant, calculé en application de l'article 34 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
10. Calculer la part de la somme liée au programme d'insertion professionnelle du nouveau personnel enseignant qui vise les élèves du secondaire de la manière suivante, où les termes «nouvel enseignant» et «nouvelle période d'enseignement» s'entendent au sens de la partie X.0.1 de la Loi :
  - i. Multiplier la somme calculée en application du paragraphe 39 (1) du règlement sur les subventions par le nombre d'enseignants du secondaire du conseil qui sont de nouveaux enseignants et dont la nouvelle période d'enseignement commence entre le 2 octobre 2007 et le 31 octobre 2008.
  - ii. Diviser le produit obtenu en application de la sous-disposition i par le nombre d'enseignants du conseil qui sont de nouveaux enseignants et dont la nouvelle période d'enseignement commence entre le 2 octobre 2007 et le 31 octobre 2008.
11. Calculer la part de l'élément programmes d'aide à l'apprentissage qui vise les élèves du secondaire de la manière suivante :
  - i. Prendre le total de ce qui suit :
    - A. la somme obtenue pour le conseil en application de la disposition 1 du paragraphe 35 (1) du règlement sur les subventions,
    - B. la somme calculée pour le conseil en application de la disposition 4 du paragraphe 35 (4) du règlement sur les subventions,
    - C. 153 734 \$.
  - ii. Diviser la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - iii. Multiplier la somme calculée en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
  - iv. Prendre le total de ce qui suit :
    - A. la somme calculée pour le conseil en application de la disposition 1 du paragraphe 35 (4) du règlement sur les subventions,
    - B. la somme calculée pour le conseil en application de la disposition 6 du paragraphe 35 (4) du règlement sur les subventions.
  - v. Additionner les sommes calculées en application des sous-dispositions iii et iv.
12. Calculer la part de l'élément sécurité dans les écoles qui vise les élèves du secondaire de la manière suivante :
  - i. Diviser l'élément sécurité dans les écoles du conseil pour l'année, le cas échéant, calculé en application de l'article 36 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
13. Prendre la somme liée à la compétence et à l'expérience des enseignants du secondaire pour l'exercice, calculée en application du paragraphe 40 (2) du règlement sur les subventions.
14. Calculer la part de l'élément redressement des coûts pour le personnel non enseignant qui vise les élèves du secondaire de la manière suivante :
  - i. Diviser la somme indiquée à la colonne 2 du tableau 10 du règlement sur les subventions en regard du nom du conseil à la colonne 1 par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
  - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.

15. Calculer la part de l'élément administration et gestion qui vise les élèves du secondaire de la manière suivante :
    - i. Soustraire le total des sommes calculées en application des dispositions 13 et 14 du paragraphe 42 (2) du règlement sur les subventions de la part de l'élément administration et gestion du conseil pour l'exercice, calculé en application de l'article 42 du même règlement.
    - ii. Diviser la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - iii. Multiplier la somme calculée en application de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
    - iv. Ajouter le total des sommes calculées en application des dispositions 13 et 14 du paragraphe 42 (2) du règlement sur les subventions à la somme calculée en application de la sous-disposition iii.
  16. Calculer la part de l'élément amélioration des programmes qui vise les élèves du secondaire de la manière suivante :
    - i. Prendre le nombre d'écoles secondaires admissibles du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - ii. Prendre le nombre d'écoles combinées admissibles du conseil au sens du paragraphe 16 (3) du règlement sur les subventions.
    - iii. Additionner les nombres obtenus en application des sous-dispositions i et ii.
    - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par 9 650 \$.
  17. Calculer la part de la portion fonctionnement des écoles de l'élément installations d'accueil pour les élèves qui vise les élèves du secondaire en multipliant par le coût repère de fonctionnement de 67,41 \$ le mètre carré :
    - i. soit la superficie redressée des écoles secondaires requise pour le conseil calculée en application de la disposition 13 du paragraphe 46 (1) du règlement sur les subventions, si un facteur relatif à la superficie supplémentaire des écoles secondaires est approuvé pour le conseil en application de cet article,
    - ii. soit la superficie des écoles secondaires requise pour le conseil calculée en application de la disposition 12 du paragraphe 46 (1) du règlement sur les subventions, si aucun facteur relatif à la superficie supplémentaire des écoles secondaires n'est approuvé pour le conseil en application de cet article.
  18. Prendre le total des sommes calculées à l'égard du conseil en application des dispositions 31, 36, 40 et 43 du paragraphe 46 (1) du règlement sur les subventions.
  19. Calculer la part de la somme liée au redressement pour baisse des effectifs du conseil qui vise les élèves du secondaire de la manière suivante :
    - i. Diviser la somme liée au redressement pour baisse des effectifs du conseil, le cas échéant, calculée en application de l'article 58 du règlement sur les subventions, par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
    - ii. Multiplier la somme calculée en application de la sous-disposition i par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
  20. Additionner les sommes calculées pour le conseil en application des dispositions 1 à 19.
  21. Diviser la somme calculée en application de la disposition 20 par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves du secondaire.
- (5) Les droits de base relatifs à un élève inscrit à une école qui relève d'un conseil isolé sont calculés de la manière suivante :
1. Prendre les dépenses approuvées du conseil au sens du paragraphe 63 (1) du règlement sur les subventions.
  2. Déduire la part des dépenses approuvées visées à la disposition 1 qui se rapporte au transport des élèves.
  3. Déduire la part des dépenses approuvées visées à la disposition 1 qui se rapporte à la réfection des écoles.
  4. Diviser la somme obtenue en application de la disposition 3 par l'effectif quotidien moyen de jour du conseil, calculé en ne comptant que ses élèves.
- (6) Les droits exigibles à l'égard de l'élève visé au paragraphe (1) qui est inscrit à un programme à coût élevé peuvent être augmentés, au choix du conseil, pour correspondre à la somme calculée en multipliant les droits qui seraient par ailleurs payables :
- a) soit par le facteur dont conviennent le conseil qui dispense l'enseignement et la partie qui doit payer ces droits;
  - b) soit par le facteur fixé de la manière visée au paragraphe (8), si le conseil et la partie ne peuvent en convenir d'aucun.



(7) Si le conseil qui dispense l'enseignement et la partie qui doit payer les droits ne peuvent pas convenir du facteur à utiliser, celui-ci est fixé par trois arbitres, nommés de la manière suivante :

1. Un arbitre est nommé par le conseil qui dispense l'enseignement.
2. Un arbitre est nommé par la partie qui doit payer les droits.
3. Un arbitre est nommé par les arbitres nommés en application des dispositions 1 et 2.

(8) La décision des arbitres ou de la majorité d'entre eux est définitive et lie le conseil qui dispense l'enseignement et la partie qui doit payer les droits.

(9) Le présent article ne s'applique pas à l'égard des élèves auxquels s'applique le paragraphe 49 (6) de la Loi.

#### **Droits imposés aux parties qui résident en Ontario**

4. (1) Le présent article s'applique à l'égard de l'élève visé au paragraphe 46 (2) de la Loi qui est inscrit à un programme scolaire de jour dans une école d'un conseil scolaire de district ou d'un conseil isolé et qui réside sur un bien-fonds où réside son père, sa mère ou son tuteur, qui est exonéré d'impôts aux fins d'un conseil quelconque et qui est situé dans une circonscription scolaire, une zone d'écoles séparées ou un district d'écoles secondaires.

(2) Les droits qu'un conseil impose à l'égard d'un élève visé au paragraphe (1) à son père, à sa mère ou à son tuteur sont de 40 \$ pour chaque mois ou fraction de mois où il est inscrit à une école du conseil.

(3) Le conseil qui impose à un père, à une mère ou à un tuteur des droits de 40 \$ pour un mois ou une fraction de mois en application du paragraphe (2) à l'égard de l'élève visé au paragraphe (1) qui est inscrit à une de ses écoles ne doit pas imposer de droits au père, à la mère ou au tuteur en application de ce paragraphe pour le même mois ou la même fraction de mois à l'égard d'un autre élève visé au paragraphe (1) qui est inscrit à une de ses écoles.

(4) Le présent article ne s'applique pas à l'égard de l'élève auquel s'applique le paragraphe 49 (6) de la Loi.

#### **Droits imposés aux parties qui ne résident pas en Ontario**

5. (1) Les droits exigibles à l'égard de l'élève qui est inscrit à un programme scolaire de jour dans une école d'un conseil scolaire de district ou d'un conseil isolé et dont le père, la mère ou le tuteur ne réside pas en Ontario correspondent à la somme que fixe le conseil et qui ne dépasse pas les droits maximaux calculés en application du paragraphe (2) ou (3).

(2) Sauf dans le cas prévu au paragraphe (3), les droits maximaux correspondent à la somme calculée de la manière suivante :

1. Additionner les droits de base calculés pour l'élève en application du paragraphe 3 (3), (4) ou (5), selon le cas, et les frais de pension de l'élève.
2. Multiplier la somme obtenue en application de la disposition 1 par 0,1.
3. Multiplier le résultat obtenu en application de la disposition 2 par le nombre de mois ou de fractions de mois où l'élève est inscrit à une école qui relève du conseil.

(3) Si l'élève est inscrit à un programme à coût élevé, les droits maximaux correspondent au total de la somme calculée en application du paragraphe (2) et de la somme supplémentaire que fixe le conseil et qui ne dépasse pas le coût supplémentaire assumé par le conseil pour dispenser le programme à cet élève.

(4) Le présent article ne s'applique pas à l'égard de l'élève qui, selon le cas :

- a) est visé par le paragraphe 49 (6) de la Loi;
- b) était un élève d'un conseil pour l'application du Règlement de l'Ontario 152/07 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2007-2008 des conseils scolaires), pris en application de la Loi.

#### **Droits versés aux conseils créés en vertu de l'art. 68**

6. (1) Les droits exigibles à l'égard de l'élève qui est inscrit à un programme scolaire de jour dans une école qui relève d'un conseil créé en vertu de l'article 68 et dont le père, la mère ou le tuteur ne réside pas en Ontario correspondent à la somme calculée de la manière suivante :

1. Prendre les dépenses du conseil pour l'exercice que le ministre juge acceptables aux fins des subventions, à l'exclusion de ce qui suit :
  - i. les dépenses liées au service de la dette,
  - ii. les dépenses liées à l'acquisition d'immobilisations, calculées en application du règlement sur les subventions,
  - iii. les dépenses liées à la restauration d'immobilisations qui ont été détruites ou qui sont endommagées, calculées en application du règlement sur les subventions,
  - iv. les provisions pour réserves pour fonds de roulement et celles pour fonds de réserve.



2. Déduire les recettes de l'exercice du conseil provenant de ce qui suit :
    - i. un organisme sur le bien duquel se trouve une école du conseil,
    - ii. les remboursements de dépenses du genre visé à la sous-disposition 1 i, ii ou iii.
  3. Calculer le nombre de jours-élève pour la période allant du 1<sup>er</sup> septembre 2008 au 31 août 2009 en additionnant, à l'égard de chaque journée d'enseignement de cette période, le nombre d'élèves inscrits aux écoles du conseil qui reçoivent un enseignement ce jour-là.
  4. Diviser la somme obtenue en application de la disposition 2 par le nombre total de jours-élève calculé en application de la disposition 3.
  5. Multiplier le résultat obtenu en application de la disposition 4 par le nombre de journées d'enseignement pour lesquelles l'élève est inscrit à une école du conseil pendant la même période.
- (2) Le présent article ne s'applique pas à l'égard de l'élève auquel s'applique le paragraphe 49 (6) de la Loi.

**Droits exigibles : élèves auxquels s'applique le par. 49 (6) de la Loi**

7. (1) Les droits exigibles à l'égard de l'élève qui est inscrit à un programme scolaire de jour et auquel s'applique le paragraphe 49 (6) de la Loi correspondent à la somme calculée conformément à la politique relative aux droits que le conseil dont relève l'école à laquelle est inscrit l'élève élabore pour l'application du présent article.

(2) La politique du conseil relative aux droits ne doit pas autoriser l'imposition, à l'égard d'un élève de l'élémentaire, de droits qui sont inférieurs à la somme qui serait calculée conformément au paragraphe 3 (2) du présent règlement à l'égard d'un tel élève, si ce paragraphe s'était appliqué à l'élève et que le paragraphe 49 (6) de la Loi ne s'était pas appliqué à lui.

(3) La politique du conseil relative aux droits ne doit pas autoriser l'imposition, à l'égard d'un élève du secondaire, de droits qui sont inférieurs à la somme qui serait calculée conformément au paragraphe 3 (2) du présent règlement à l'égard d'un tel élève, si ce paragraphe s'était appliqué à l'élève et que le paragraphe 49 (6) de la Loi ne s'était pas appliqué à lui.

**Droits exigibles : cours d'été et cours d'éducation permanente**

8. (1) Les droits exigibles à l'égard de l'élève auquel s'applique le paragraphe 49 (6) de la Loi et qui est inscrit à un cours d'été ou à une classe ou un cours d'éducation permanente offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme calculée par le conseil.

(2) Les droits visés au paragraphe (1) exigibles à l'égard d'un élève qui est inscrit à une classe ou un cours d'éducation permanente offert par le conseil ne doivent pas être inférieurs aux droits calculés en appliquant les dispositions 1 à 3 du paragraphe (4).

(3) Les droits visés au paragraphe (1) exigibles à l'égard d'un élève qui est inscrit à un cours d'été offert par le conseil ne doivent pas être inférieurs aux droits calculés en appliquant les dispositions 1 à 3 du paragraphe (5).

(4) Les droits exigibles à l'égard de l'élève visé au paragraphe 3 (1) ou 5 (1) qui est inscrit à une classe ou un cours d'éducation permanente offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme convenue par le conseil et la partie qui doit payer les droits ou, en l'absence d'entente, à la somme calculée de la manière suivante :

1. Calculer les dépenses que le conseil a engagées au cours de l'exercice au titre des classes ou des cours d'éducation permanente.
2. Diviser la somme calculée en application de la disposition 1 par l'effectif quotidien moyen des cours d'éducation permanente du conseil.
3. Multiplier le résultat obtenu en application de la disposition 2 par l'effectif quotidien moyen des cours d'éducation permanente du conseil, calculé en ne comptant que les élèves visés au présent paragraphe.

(5) Les droits exigibles à l'égard de l'élève visé au paragraphe 3 (1) ou 5 (1) qui est inscrit à une classe ou un cours d'été offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme convenue par le conseil et la partie qui doit payer les droits ou, en l'absence d'entente, à la somme calculée de la manière suivante :

1. Calculer les dépenses que le conseil a engagées au cours de l'exercice au titre des classes ou des cours d'été.
2. Diviser la somme calculée en application de la disposition 1 par l'effectif quotidien moyen des cours d'été du conseil.
3. Multiplier le résultat obtenu en application de la disposition 2 par l'effectif quotidien moyen des cours d'été du conseil, calculé en ne comptant que les élèves visés au présent paragraphe.

**Interdiction des paiements de droits de conseil à conseil**

9. Aucun conseil n'est tenu de payer des droits à un autre conseil en application du présent règlement.

**Entrée en vigueur**

10. Le présent règlement entre en vigueur le jour de son dépôt.

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 3, 2008.  
Pris le : 3 avril 2008.

17/08

## ONTARIO REGULATION 85/08

made under the

### EDUCATION ACT

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## GRANTS FOR STUDENT NEEDS — LEGISLATIVE GRANTS FOR THE 2008-2009 SCHOOL BOARD FISCAL YEAR

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## PART I GENERAL

### Application and interpretation

1. (1) This Regulation applies to boards for the 2008-2009 fiscal year and to governing authorities in respect of payments for the period from September 1, 2008 to August 31, 2009.

(2) In this Regulation,

“2003-2004 grant regulation” means Ontario Regulation 139/03 (Student Focused Funding — Legislative Grants for the 2003-2004 School Board Fiscal Year) made under the Act; (“règlement sur les subventions de 2003-2004”)

“2004-2005 grant regulation” means Ontario Regulation 145/04 (Grants for Student Needs — Legislative Grants for the 2004-2005 School Board Fiscal Year) made under the Act; (“règlement sur les subventions de 2004-2005”)

“2005-2006 grant regulation” means Ontario Regulation 400/05 (Grants for Student Needs — Legislative Grants for the 2005-2006 School Board Fiscal Year) made under the Act; (“règlement sur les subventions de 2005-2006”)

“2006-2007 grant regulation” means Ontario Regulation 341/06 (Grants for Student Needs — Legislative Grants for the 2006-2007 School Board Fiscal Year) made under the Act; (“règlement sur les subventions de 2006-2007”)

“2007-2008 grant regulation” means Ontario Regulation 152/07 (Grants for Student Needs — Legislative Grants for the 2007-2008 School Board Fiscal Year) made under the Act; (“règlement sur les subventions de 2007-2008”)

“2008-2009 A.D.E. regulation” means Ontario Regulation 83/08; (Calculation of Average Daily Enrolment for the 2008-2009 School Board Fiscal Year) made under the Act; (“règlement sur l'effectif quotidien moyen de 2008-2009”)

“2008-2009 fees regulation” means Ontario Regulation 84/08 (Calculation of Fees for Pupils for the 2008-2009 School Board Fiscal Year) made under the Act; (“règlement sur les droits de 2008-2009”)

“ALF” stands for actualisation linguistique en français; (“ALF”)

“capital asset” means,

- (a) a school site that provides or is capable of providing pupil accommodation and an addition or improvement to such a school site,
- (b) a school building, fixture of a school building or fixture of school property, and an addition, alteration, renovation or major repair to a school building, fixture of a school building or fixture of school property,
- (c) furniture and equipment to be used in school buildings,
- (d) library materials for the initial equipping of a library in a school building,
- (e) an installation on school property to supply a school building on the property with water, sewer, septic, electrical, heating, cooling, natural gas, telephone or cable services, and an alteration, replacement or major repair to the installation, and
- (f) changes to the level, drainage or surface of school properties; (“immobilisation”)

“cycle” has the same meaning as in the 2008-2009 A.D.E. regulation; (“horaire”)

“elementary school pupil” means a pupil who is enrolled in any of junior kindergarten, kindergarten and grades 1 to 8; (“élève de l'élémentaire”)

“ELD” stands for English literacy development; (“ELD”)

“ESL” stands for English as a second language; (“ESL”)

“full-time pupil” has the same meaning as in the 2008-2009 A.D.E. regulation; (“élève à temps plein”)

“half-time pupil” has the same meaning as in the 2008-2009 A.D.E. regulation; (“élève à mi-temps”)

“independent study course” has the same meaning as in the 2008-2009 A.D.E. regulation; (“cours d’études personnelles”)

“isolate board” is a school authority other than a section 68 board; (“conseil isolé”)

“part-time pupil” has the same meaning as in the 2008-2009 A.D.E. regulation; (“élève à temps partiel”)

“PDF” stands for perfectionnement du français; (“PDF”)

“revenue from other sources” means, with respect to a district school board, the revenue of the board other than,

- (a) the amount of grants payable to the board under this Regulation,
- (b) the amount that would be the board’s 2008-2009 tax revenue amount if no amount were required to be deducted under paragraph 3 or 4 of subsection 14 (1), and
- (c) any amount transferred from reserve funds; (“recettes provenant d’autres sources”)

“rural elementary school” means, with respect to a board, an elementary school that has a 2008-2009 enrolment, within the meaning of subsection 45 (2), greater than zero, and that meets at least one of the following two criteria:

- 1. On October 31, 2008, the second character of the school’s postal code is 0.
- 2. The school is listed in Column 3 of Table 27 opposite the name of the board in Column 1 of that Table; (“école élémentaire rurale”)

“rural secondary school” means, with respect to a board, a secondary school that has a 2008-2009 enrolment, within the meaning of subsection 45 (2), greater than zero, and that meets at least one of the following two criteria:

- 1. On October 31, 2008, the second character of the school’s postal code is 0.
- 2. The school is listed in Column 4 of Table 27 opposite the name of the board in Column 1 of that Table; (“école secondaire rurale”)

“secondary school pupil” means a pupil who is enrolled in any of grades 9 to 12; (“élève du secondaire”)

“section 68 board” is a board established under section 68 of the Act. (“conseil créé en vertu de l’article 68”)

#### **Fiscal year**

- 2. Any fiscal year referred to in this regulation is from September 1 to August 31.

#### **Documents referred to in this Regulation**

3. (1) The Instruction Guide, dated 2002, referred to in paragraph 1 of subsection 16 (3) and paragraphs 1 and 50 of subsection 49 (1) is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

(2) The document entitled “Special Education Funding Guidelines: Special Equipment Amount (SEA) and Special Incidence Portion (SIP) 2008-09”, dated Spring 2008, referred to in clauses 20 (1) (a), 22 (1) (a) and 64 (2) (a), is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

(3) The list of common course codes referred to in subsections 26 (4) and 31 (6) is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

(4) The document entitled “Ontario Secondary Schools, Grades 9 to 12 — Program and Diploma Requirements — 1999”, referred to in paragraphs 1, 2 and 3 of subsection 37 (5), is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

(5) The 2005 Data Form A, referred to in paragraphs 4 and 5 of subsection 40 (7) is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education.

(6) The documents entitled “Good Places to Learn: Stage 1 Funding Allocation” referred to in clause 48 (2) (a), “Good Places to Learn: Stage 2 Funding Allocation”, referred to in clause 48 (3) (a) and “Good Places to Learn: Stage 3 Funding Allocation”, referred to in clause 48 (4) (a) are available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.

(7) The Report of the Pupil Accommodation Review Committee, dated August, 1998, referred to in paragraph 1 of subsection 56 (6), is available for public inspection at the offices of the Education Finance Branch of the Ministry of Education and on the Ministry’s website.



**Pupil of a board**

4. (1) Subject to subsections (2) and (3), for the purposes of this Regulation, a pupil is a pupil of a board if he or she is enrolled in a school operated by the board.

(2) A pupil who receives instruction in an education program provided by a board that is a qualifying education program within the meaning of subsection 23 (2) is not a pupil enrolled in a school operated by the board for the purposes of subsection (1).

(3) For the purposes of this Regulation, the following are not pupils of a board even if they are enrolled in a school of the board:

1. A pupil who is a registered Indian residing on a reserve within the meaning of the *Indian Act* (Canada).
2. A pupil who is liable to pay fees as specified in subsection 49 (6) of the Act.
3. A pupil in respect of whom the board may charge a fee under section 5 of the 2008-2009 fees regulation.

**Enrolment**

5. (1) For the purposes of this Regulation, the 2008-2009 day school average daily enrolment of pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 2008-2009 A.D.E. regulation, counting all pupils of the board other than secondary school pupils who are 21 years of age or older on December 31, 2008.

(2) For the purposes of this Regulation, the 2008-2009 day school average daily enrolment of elementary school pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 2008-2009 A.D.E. regulation, counting only the elementary school pupils of the board.

(3) For the purposes of this Regulation, the 2008-2009 day school average daily enrolment of secondary school pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 2008-2009 A.D.E. regulation, counting only secondary school pupils of the board who are under 21 years of age on December 31, 2008.

(4) For the purposes of this Regulation, the day school full-time equivalent enrolment for a board as of October 31, 2008 is determined using the formula,

$$A + B + C/D$$

in which,

“A” is the number of full-time pupils of the board enrolled on October 31, 2008, excluding secondary school pupils who are at least 21 years of age on December 31, 2008,

“B” is the amount equal to 0.5 times the number of half-time pupils of the board enrolled on October 31, 2008,

“C” is the total of all amounts each of which is an amount determined for a part-time pupil of the board enrolled on October 31, 2008, other than a secondary school pupil who is at least 21 years of age on December 31, 2008, equal to the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes October 31, 2008, in a course other than an independent study course, and

“D” is the amount determined by multiplying the number of days in the cycle described in the definition of “C” by 300.

(5) If this Regulation requires that pupils be counted but does not provide that the count be on the basis of average daily enrolment or on the basis of full-time equivalent enrolment, each pupil, whether full-time, half-time or part-time, must be counted as one.

**Level of accuracy**

6. (1) A count of pupils for the purposes of this Regulation on the basis of average daily enrolment or on the basis of full-time equivalent enrolment must be accurate to two decimal places.

(2) A count of teachers or teacher assistants for the purposes of this Regulation on the basis of full-time equivalence must be accurate to one decimal place.

**Legislative grants**

7. (1) The legislative grant payable for the fiscal year to a district school board is the amount calculated under Part II.

(2) The legislative grant payable for the fiscal year to an isolate board is the amount calculated under section 63.

(3) The legislative grant payable for the fiscal year to a section 68 board is the amount calculated under section 64.

**Payments**

8. A legislative grant payable under this Regulation is paid on an estimated basis during the fiscal year and such adjustments as may be necessary must be made after the actual financial, enrolment and other data are available.



**Conditions for grant**

9. (1) It is a condition of the payment of a grant to a board under this Regulation that the board comply with all Acts administered by the Minister and with all regulations, policies, guidelines, directives and similar instruments made under an Act administered by the Minister.

(2) If a board contravenes an Act administered by the Minister or a regulation, policy, guideline, directive or similar instrument made under an Act administered by the Minister, the Minister may withhold all or part of a grant otherwise payable to the board under the Act.

**Adjusting overpayment**

10. If the amount payable to a board under a legislative grant regulation was overpaid and the overpayment has not been deducted from grants payable to the board under other legislative grant regulations, the overpayment must be deducted from the grants payable under this Regulation to the board.

**Adjusting underpayment**

11. If the amount payable to a board under a legislative grant regulation was underpaid, the amount of the underpayment that has not previously been paid must be added to the grants payable under this Regulation to the board.

## PART II GRANTS TO DISTRICT SCHOOL BOARDS

**Grant allocations**

12. A district school board is entitled to the following grant allocations, in the amounts determined under this Part, in determining the amount of the grant payable to it for the fiscal year:

1. Pupil foundation allocation.
2. School foundation allocation.
3. Primary class size allocation.
4. Special education allocation.
5. Language allocation.
6. First Nation, Métis and Inuit supplemental allocation.
7. Learning resources for distant and outlying schools allocation.
8. Remote and rural allocation.
9. Rural and small community allocation.
10. Learning opportunities allocation.
11. Safe schools allocation.
12. Continuing education and other programs allocation.
13. Cost adjustment and new teacher induction program allocation.
14. Transportation allocation.
15. Administration and governance allocation.
16. Program enhancement allocation.
17. Community use of schools allocation.
18. Pupil accommodation allocation.
19. Debt charges allocation.

**Amount of grant**

13. The grant payable to a district school board for the fiscal year is the amount determined using the following formula:

$$(A + B) - (C + D + E)$$

in which,

“A” is the total amount of the grant allocations to which the board is entitled for the fiscal year,

“B” is the amount of the board’s adjustment for declining enrolment for the fiscal year,

“C” is the amount of the board’s 2008-2009 tax revenue, as determined in this Regulation,

"D" is the amount of the board's total fees revenue for the fiscal year in respect of pupils described in subsection 46 (2) of the Act, as determined under section 4 of the 2008-2009 fees regulation, and

"E" is the amount of the board's reserve fund under subsection 233 (1) of the Act on August 31, 2009 before the transfer under subsection 233 (2) of the Act.

#### 2008-2009 tax revenue

14. (1) The 2008-2009 tax revenue of a district school board is determined as follows:

1. Add,

i. 38 per cent of the sum of,

- A. the total of the amounts distributed to the board in respect of the 2008 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the *Education Act*, under sections 447.20 and 447.52 of the *Municipal Act* as made applicable by section 474 of the *Municipal Act, 2001*, under subsections 364 (22) and 365.2 (16) of the *Municipal Act, 2001*, under subsections 331 (22) and 334 (14) of the *City of Toronto Act, 2006*, under section 10 of Ontario Regulation 509/98 (Tax Matters — Relief in Unorganized Territory (Section 257.2.1 of the Act)) made under the Act and under subsection 13 (2) of Ontario Regulation 3/02 (Tax Relief in Unorganized Territory for 2001 and Subsequent Years) made under the Act,
- B. the amounts, if any, referred to in subsection 364 (22) of the *Municipal Act, 2001*, as made applicable by section 257.12.3 of the *Education Act*, that are paid to the board in respect of the 2008 calendar year,
- C. the total of all amounts, if any, received by the board in respect of the 2008 calendar year from a municipality under subsections 353 (4), (4.1) and 366 (3) of the *Municipal Act, 2001*, or under subsections 318 (4), (4.1) and 336 (3) of the *City of Toronto Act, 2006*,
- D. the amounts, if any, applied by the board against the cancellation price of land sold for tax arrears in the 2008 calendar year under sections 380 and 380.1 of the *Municipal Act, 2001*, as made applicable by subsection 371 (2) of that Act,
- E. the payments in lieu of taxes distributed to the board in respect of the 2008 calendar year under subsection 322 (1) of the *Municipal Act, 2001*, or under subsection 284 (1) of the *City of Toronto Act, 2006*,
- F. the grants, if any, made to the board in respect of the 2008 calendar year under subsection 302 (2) of the *Municipal Act, 2001*, or under subsection 238 (2) of the *City of Toronto Act, 2006*,
- G. the amounts, if any, received by the board in respect of the 2008 calendar year under the *Payments in Lieu of Taxes Act* (Canada) and under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
- H. the amounts, if any, paid to the board in respect of the 2008 calendar year under subsections 9 (2) and (4) of the *Tax Incentive Zones Act (Pilot Projects), 2002*,

ii. 62 per cent of the sum of,

- A. the total of the amounts distributed to the board in respect of the 2009 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the *Education Act*, under sections 447.20 and 447.52 of the *Municipal Act* as made applicable by section 474 of the *Municipal Act, 2001*, under subsections 364 (22) and 365.2 (16) of the *Municipal Act, 2001*, under subsections 331 (22) and 334 (14) of the *City of Toronto Act, 2006*, under section 10 of Ontario Regulation 509/98 and under subsection 13 (2) of Ontario Regulation 3/02,
- B. the amounts, if any, referred to in subsection 364 (22) of the *Municipal Act, 2001*, as made applicable by section 257.12.3 of the *Education Act*, that are paid to the board in respect of the 2009 calendar year,
- C. the total of all amounts, if any, paid to the board in respect of the 2009 calendar year under subsections 353 (4), (4.1) and 366 (3) of the *Municipal Act, 2001*, or under subsections 318 (4), (4.1) and 336 (3) of the *City of Toronto Act, 2006*,
- D. the amounts, if any, applied by the board against the cancellation price of land sold for tax arrears in the 2009 calendar year under sections 380 and 380.1 of the *Municipal Act, 2001*, as made applicable by subsection 371 (2) of that Act,
- E. the payments in lieu of taxes distributed to the board in respect of the 2009 calendar year under subsection 322 (1) of the *Municipal Act, 2001*, or under subsection 284 (1) of the *City of Toronto Act, 2006*,
- F. the grants, if any, made to the board in respect of the 2009 calendar year under subsection 302 (2) of the *Municipal Act, 2001*, or under subsection 238 (2) of the *City of Toronto Act, 2006*,



- G. the amounts, if any, received by the board in respect of the 2009 calendar year under the *Payments in Lieu of Taxes Act* (Canada) and under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
  - H. the amounts, if any, paid to the board in respect of the 2009 calendar year under subsections 9 (2) and (4) of the *Tax Incentive Zones Act (Pilot Projects)*, 2002,
- iii. the total of the taxes received by the board in respect of the 2008 calendar year under section 35 of the *Assessment Act*,
  - iv. the total of the amounts, if any, distributed to the board in the fiscal year under subsection 2 (2) of Ontario Regulation 365/98 (Pre-1998 School Tax Arrears) made under the Act, and
  - v. the total of the amounts, if any, paid to the board in the fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98 (Tax Arrears in Annexed Areas) made under the Act.
2. Calculate the difference between the following amounts and deduct that difference if the amount described in subparagraph i is less than the amount described in subparagraph ii or add that difference if the amount described in subparagraph i is more than the amount described in subparagraph ii:
    - i. The amount that was determined under subparagraph 1 ii of subsection 14 (1) of the 2007-2008 grant regulation for the purposes of calculating the amount payable to the board as legislative grant in respect of the 2007-2008 school board fiscal year.
    - ii. The amount that would have been determined under subparagraph 1 ii of subsection 14 (1) of the 2007-2008 grant regulation if that amount had been determined on the basis of the board's annual financial statements as reported to the Ministry for the 2007-2008 school board fiscal year.
  3. If the board is required to levy taxes for school purposes in respect of property in territory without municipal organization, deduct the sum of the amounts calculated in respect of the board under subparagraphs 3 i, ii and iii of subsection 14 (1) of the 2007-2008 grant regulation.
  4. Deduct the costs for which the board is responsible under the *Municipal Elections Act, 1996* that are incurred in the fiscal year to conduct elections of members in territory without municipal organization that is deemed to be a district municipality for the purposes of clause 257.12 (3) (a) of the *Education Act*.
  5. Deduct the amounts charged to the board in the 2008 calendar year by a municipal council under section 353 of the *Municipal Act, 2001*, or under section 318 of the *City of Toronto Act, 2006*, including amounts charged under that section as a result of private legislation.
  6. Deduct the total of the amounts rebated, paid or credited by the board under sections 257.2.1 and 257.12.3 of the Act in the fiscal year.
  7. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 2008 calendar year under paragraph 3 of subsection 7 (4) of Ontario Regulation 3/02 and under subsections 361 (7), 364 (11), 365 (3), 365.1 (13) to (15) and 365.2 (8) of the *Municipal Act, 2001* or under subsections 329 (6), 331 (11), 332 (2), 333 (14) and (16) and 334 (6) of the *City of Toronto Act, 2006*.
  8. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 2009 calendar year under paragraph 3 of subsection 7 (4) of Ontario Regulation 3/02 and under subsections 361 (7), 364 (11), 365 (3), 365.1 (13) to (15) and 365.2 (8) of the *Municipal Act, 2001* or under subsections 329 (6), 331 (11), 332 (2), 333 (14) and (16) and 334 (6) of the *City of Toronto Act, 2006*.
- (2) For the purposes of determining the amount of a district school board's 2008-2009 tax revenue, the following rules apply:
1. All amounts, if any, paid by the Minister to the board in respect of the 2008 calendar year under sections 257.10.1 and 257.11 of the Act are deemed to be amounts distributed to the board in respect of the 2008 calendar year under a provision of the Act referred to in sub-subparagraph 1 i A of subsection (1).
  2. All amounts, if any, paid by the Minister to the board in respect of the 2009 calendar year under section 257.11 of the Act are deemed to be amounts distributed to the board in respect of the 2009 calendar year under a provision of the Act referred to in sub-subparagraph 1 ii A of subsection (1).

#### Pupil foundation allocation

15. The amount of the pupil foundation allocation for a district school board for the fiscal year is the sum of the following amounts:

1. The amount determined by multiplying the 2008-2009 day school average daily enrolment of elementary school pupils of the board by \$3,970.83.



2. The amount determined by multiplying the 2008-2009 day school average daily enrolment of secondary school pupils of the board by \$5,109.81.

#### School foundation allocation

16. (1) The amount of the school foundation allocation for a district school board for the fiscal year is the sum of the following amounts:

1. The principals amount determined under subsection (4).
2. The vice-principals amount determined under subsection (5).
3. The school secretaries amount determined under subsection (6).
4. The school supplies amount determined under subsection (7).

(2) For the purposes of this section,

“2008-2009 enrolment” means, in respect of a qualifying sole elementary school or qualifying sole secondary school of the board, the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in the school; (“effectif de 2008-2009”)

“2008-2009 combined enrolment” means, in respect of a qualifying combined school of a board, the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in schools that are part of the qualifying combined school. (“effectif combiné de 2008-2009”)

(3) For the purposes of this section, the following rules determine whether a school is a qualifying sole elementary school, a qualifying sole secondary school or a part of a qualifying combined school:

1. A school of the board is a qualifying elementary or secondary school of the board if it has been identified as an elementary or secondary school in accordance with the Instruction Guide, which is available as described in subsection 3 (1), and it has a 2008-2009 enrolment of one or more.
2. If one or more qualifying elementary schools of the board and one or more qualifying secondary schools of the board are located on the same school site, the schools make up a qualifying combined school of the board.
3. Any qualifying school that is not part of a qualifying combined school is a qualifying sole elementary school or a qualifying sole secondary school, as the case may be.
4. Despite paragraph 3, two or more qualifying sole elementary schools of the board shall be treated as if they were one qualifying sole elementary school if,
  - i. the board reported the schools together as one school in its school reports submitted to the Ministry in respect of the 2008-2009 school year, or
  - ii. the schools are all located on the same school site.
5. Despite paragraph 3, two or more qualifying sole secondary schools of the board shall be treated as if they were one qualifying sole secondary school if,
  - i. the board reported the schools together as one school in its school reports submitted to the Ministry in respect of the 2008-2009 school year, or
  - ii. the schools are all located on the same school site.

(4) The principals amount is determined as follows:

1. Multiply the number of qualifying sole elementary schools of the board for which the 2008-2009 enrolment is 50 or less, by \$55,979.95.
2. Multiply the number of qualifying sole elementary schools of the board for which the 2008-2009 enrolment is greater than 50, by \$111,959.91.
3. Total the following numbers:
  - i. The number of qualifying sole secondary schools of the board for which the 2008-2009 enrolment is greater than 50.
  - ii. The number of qualifying combined schools of the board for which the 2008-2009 combined enrolment is greater than 50.
  - iii. The number of qualifying combined schools of the board for which,
    - A. the sum of the 2008-2009 enrolments of the qualifying elementary schools that form part of the qualifying combined school is greater than 300, and

B. the sum of the 2008-2009 enrolments of the qualifying secondary schools that form part of the qualifying combined school is greater than 500.

4. Multiply the number determined under paragraph 3 by \$122,101.12.
5. Add the number of qualifying sole secondary schools of the board for which the 2008-2009 enrolment is 50 or less to the number of qualifying combined schools of the board for which the 2008-2009 combined enrolment is 50 or less.
6. Multiply the number determined under paragraph 5 by \$61,050.56.
7. Total the amounts determined under paragraphs 1, 2, 4 and 6.
- (5) The vice-principals amount is determined as follows:
  1. For each qualifying sole elementary school of the board for which the 2008-2009 enrolment is less than 500, calculate a number as follows:

$$(A - 250) \times 0.003$$

in which,

"A" is the 2008-2009 enrolment of the school.

2. If the product determined under paragraph 1 is a negative number, it is deemed to be zero.
3. Total the numbers determined under paragraph 1 for the qualifying sole elementary schools of the board.
4. For each qualifying sole elementary school of the board for which the 2008-2009 enrolment is 500 or more but less than 1,000, calculate a number as follows:

$$0.75 + ((A - 500) \times 0.0025)$$

in which,

"A" is the 2008-2009 enrolment of the school.

5. Total the numbers determined under paragraph 4 for the qualifying sole elementary schools of the board.
6. Multiply 2 by the number of qualifying sole elementary schools of the board for which the 2008-2009 enrolment is 1,000 or more.
7. Total the numbers determined under paragraphs 3, 5 and 6.
8. Multiply the number determined under paragraph 7 by \$106,048.28.
9. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is less than 500, calculate a number as follows:

$$(A - 100) \times 0.0025$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

10. If the product determined under paragraph 9 is a negative number, it is deemed to be zero.
11. Total the numbers determined under paragraph 9 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
12. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is 500 or more but less than 1,500, calculate a number as follows:

$$1 + ((A - 500) \times 0.0020)$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

13. Total the numbers determined under paragraph 12 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
14. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is 1,500 or more, calculate a number as follows:

$$3 + ((A - 1,500) \times 0.0010)$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

15. Total the numbers determined under paragraph 14 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
16. Total the numbers determined under paragraphs 11, 13 and 15.
17. Multiply the number determined under paragraph 16 by \$111,877.70.
18. Total the amounts determined under paragraphs 8 and 17.
- (6) The school secretaries amount is determined as follows:
  1. Determine the number of qualifying sole elementary schools of the board for which the 2008-2009 enrolment is less than 100.
  2. For each qualifying sole elementary school of the board for which the 2008-2009 enrolment is 100 or more but less than 300, calculate a number as follows:

$$1 + ((A - 100) \times 0.00125)$$

in which,

"A" is the 2008-2009 enrolment of the school.

3. Total the numbers determined under paragraph 2 for the qualifying sole elementary schools of the board.
4. For each qualifying sole elementary school of the board for which the 2008-2009 enrolment is 300 or more but less than 500, calculate a number as follows:

$$1.25 + ((A - 300) \times 0.0025)$$

in which,

"A" is the 2008-2009 enrolment of the school.

5. Total the numbers determined under paragraph 4 for the qualifying sole elementary schools of the board.
6. For each qualifying sole elementary school of the board for which the 2008-2009 enrolment is 500 or more, calculate a number as follows:

$$1.75 + ((A - 500) \times 0.0035)$$

in which,

"A" is the 2008-2009 enrolment of the school.

7. Total the numbers determined under paragraph 6 for the qualifying sole elementary schools of the board.
8. Total the numbers determined under paragraphs 1, 3, 5 and 7.
9. Multiply the number determined under paragraph 8 by \$46,059.83.
10. Total the number of qualifying sole secondary schools of the board for which the 2008-2009 enrolment is less than 100 and the number of qualifying combined schools of the board for which the 2008-2009 combined enrolment is less than 100.
11. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is 100 or more but less than 500, calculate a number as follows:

$$1 + ((A - 100) \times 0.003125)$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

12. Total the numbers determined under paragraph 11 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
13. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is 500 or more but less than 1,000, calculate a number as follows:

$$2.25 + ((A - 500) \times 0.0055)$$



in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

14. Total the numbers determined under paragraph 13 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
15. For each qualifying sole secondary school of the board or qualifying combined school of the board for which the 2008-2009 enrolment or the 2008-2009 combined enrolment, as the case may be, is 1,000 or more, calculate a number as follows:

$$5 + ((A - 1,000) \times 0.0040)$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be.

16. Total the numbers determined under paragraph 15 for the qualifying sole secondary schools of the board and the qualifying combined schools of the board.
17. Total the numbers determined in respect of the board under paragraphs 10, 12, 14 and 16.
18. Multiply the number determined under paragraph 17 by \$48,521.72.
19. Total the amounts determined under paragraphs 9 and 18.
- (7) The school supplies amount is determined as follows:
  1. Multiply the number of qualifying sole elementary schools of the board by \$2,050.
  2. Total the 2008-2009 enrolments of the qualifying sole elementary schools of the board.
  3. Multiply the number determined under paragraph 2 by \$6.06.
  4. Total the amounts determined under paragraphs 1 and 3.
  5. Multiply the number of qualifying sole secondary schools of the board by \$3,050.
  6. Total the 2008-2009 enrolments of the qualifying sole secondary schools of the board.
  7. Multiply the number determined under paragraph 6 by \$7.07.
  8. Total the amounts determined under paragraphs 5 and 7.
  9. Multiply the number of qualifying combined schools of the board by \$3,050.
  10. Total the 2008-2009 combined enrolments of the qualifying combined schools of the board.
  11. Multiply the number determined under paragraph 10 by \$7.07.
  12. Total the amounts determined under paragraphs 9 and 11.
  13. Total the amounts determined under paragraphs 4, 8 and 12.

#### Primary class size allocation

17. (1) The amount of the primary class size allocation for a district school board for the fiscal year is the amount determined by multiplying \$799.31 by the 2008-2009 day school average daily enrolment of elementary school pupils of the board, counting only pupils enrolled in junior kindergarten, kindergarten and grades 1 to 3.

- (2) It is a condition of payment of a grant to the board under this Regulation that,
  - (a) the board submit a plan by June 30, 2008, setting out how the board plans to provide instruction to elementary school pupils of the board in the 2008-2009 school board fiscal year; and
  - (b) the board submit a report by October 31, 2008, setting out, based on the enrolment of the board on a date not earlier than September 2, 2008 and not later than September 30, 2008, how the board is providing instruction to elementary school pupils of the board in the 2008-2009 school board fiscal year.
- (3) The Minister may withhold all or part of the grant otherwise payable to a district school board under the Act if,
  - (a) the board does not meet a condition set out in subsection (2), or
  - (b) either the plan or the report described in subsection (2) indicates that the classes in the schools of the board, other than self-contained classes for exceptional pupils, do not meet the following criteria:
    - (i) At least 90 per cent of classes in schools of the board that have only pupils in the primary division have 20 or fewer pupils.

- (ii) If a class in a school of the board has any pupils in the primary division, the class has 23 or fewer pupils.
- (iii) If a class in a school of the board has any pupils in the junior division or in the first two years of the intermediate division, the class size, on average, does not exceed the greater of,
  - (A) the average number of pupils that were in that type of class in the 2003-2004 school year, and
  - (B) 25 pupils.

#### **Special education allocation**

**18.** The amount of the special education allocation for a district school board for the fiscal year is the total of the following amounts:

1. The enrolment-based special education amount for the board for the fiscal year as determined under section 19.
2. The special equipment claim for the board for the fiscal year as determined under subsection 20 (2).
3. The high needs amount for the board for the fiscal year as determined under section 21.
4. The special incidence claim for the board for the fiscal year as determined under subsection 22 (2).
5. The facilities amount for the board for the fiscal year as determined under section 23.

#### **Enrolment-based special education amount**

**19.** The enrolment-based special education amount for a board for the fiscal year is determined as follows:

1. Multiply the 2008-2009 day school average daily enrolment of elementary school pupils of the board, counting only pupils enrolled in junior kindergarten, kindergarten and grades 1 to 3, by \$678.59 to determine the enrolment-based special education amount for junior kindergarten to grade 3.
2. Multiply the 2008-2009 day school average daily enrolment of elementary school pupils of the board, counting only pupils enrolled in grades 4 to 8, by \$522.38 to determine the enrolment-based special education amount for grades 4 to 8.
3. Multiply the 2008-2009 day school average daily enrolment of secondary school pupils of the board by \$344.88 to determine the enrolment-based special education amount for secondary schools.
4. Total the amounts determined under paragraphs 1, 2 and 3 to determine the board's enrolment-based special education amount for the fiscal year.

#### **Special equipment**

**20.** (1) For the purposes of subsection (2), a special equipment claim for a pupil of a district school board is an approved claim if,

- (a) the pupil meets the eligibility criteria for special equipment set out in the document entitled "Special Education Funding Guidelines: Special Equipment Amount (SEA) and Special Incidence Portion (SIP) 2008-09", which is available as described in subsection 3 (2); and
- (b) the board has made a claim for the fiscal year for expenditures in excess of \$800 for special equipment for the pupil, in accordance with the publication mentioned in clause (a), and the Minister has approved the claim.

(2) The special equipment claim for a board for the fiscal year is the sum of all approved special equipment claims for pupils of the board, after any adjustment required under section 24.

#### **High needs amount**

**21.** The high needs amount for a board is the greater of,

- (a) the amount determined by multiplying the 2008-2009 day school average daily enrolment of pupils of the board by the amount set out in Column 2 of Table 1 opposite the name of the board; and
- (b) the amount determined for the board under section 21 of the 2007-2008 grant regulation.

#### **Special incidence**

**22.** (1) A special incidence claim for a pupil of a board is an approved special incidence claim for the pupil if,

- (a) the board has designated the pupil as a pupil requiring special incidence funding in accordance with the document entitled "Special Education Funding Guidelines: Special Equipment Amount (SEA) and Special Incidence Portion (SIP) 2008-09", which is available as described in subsection 3 (2); and
- (b) the board has made a special incidence claim for the pupil for the fiscal year in an amount not exceeding \$27,000, in accordance with the publication mentioned in clause (a), and the Minister has approved the claim.



(2) The special incidence claim for a board for the fiscal year is the sum of all approved special incidence claims for pupils of the board, after any adjustment required under section 24.

**Facilities amount**

23. (1) The facilities amount for a board for the fiscal year is determined as follows:

1. For each qualifying education program provided by the board under an agreement with a facility listed in subsection (4), determine the amount for the qualifying education program in accordance with subsection (5).
2. Total the amounts determined under paragraph 1.

(2) An education program provided by the board under an agreement with a facility listed in subsection (4) is a qualifying education program for the purposes of this section if the following conditions are satisfied:

1. The education program is provided by a teacher employed by the board.
2. No education program is provided by the Province in the facility.
3. The board has entered into a written agreement with the facility and the Minister has approved it on the basis that it satisfies the requirements set out in subsection (3).

(3) The requirements for the written agreement referred to in paragraph 3 of subsection (2) are as follows:

1. The agreement includes a staffing plan that sets out the number of teachers and teacher assistants to be employed by the board for the purposes of the program.
2. The agreement adequately sets out the responsibilities of the board and the facility.
3. The agreement sets out the number of pupil places in the program.

(4) The following are facilities for the purposes of this section:

1. A psychiatric facility.
2. An approved charitable institution as defined in the *Charitable Institutions Act*.
3. An agency approved under subsection 8 (1) of the *Child and Family Services Act*.
4. A facility designated under the *Developmental Services Act*.
5. A place of temporary detention, open custody or secure custody continued or established under section 89 of the *Child and Family Services Act*.
6. A home for special care licensed under the *Homes for Special Care Act*.
7. A hospital approved by the Minister.
8. A nursing home operated under a licence issued under the *Nursing Homes Act*.
9. A correctional institution as defined in the *Ministry of Correctional Services Act*.
10. A place of temporary detention and a youth custody facility under the *Youth Criminal Justice Act* (Canada).
11. A long-term care home as defined in the *Long-Term Care Homes Act, 2007*.

(5) Subject to subsections (6) and (7), the amount for a qualifying education program is determined as follows:

1. Take the lesser of,
  - i. the expenditure of the board in the fiscal year for salary and employee benefits of teachers employed by the board to provide the program, and
  - ii. the amount that could be expended by the board in the fiscal year for salary and employee benefits of teachers employed by the board to provide the program under the staffing plan referred to in paragraph 1 of subsection (3).
2. Multiply the number of full-time equivalent teachers employed by the board to provide the program by \$2,666. For the purposes of this paragraph, the counting practices usually followed by the board for staffing purposes are to be followed.
3. Take the lesser of,
  - i. the expenditure of the board in the fiscal year for salary and employee benefits of teacher assistants employed by the board to assist teachers in providing the program, and
  - ii. the amount that could be expended by the board in the fiscal year for salary and employee benefits of teacher assistants employed by the board under the staffing plan referred to in paragraph 1 of subsection (3).
4. Multiply the number of full-time equivalent teacher assistants employed by the board to assist teachers in providing the program by \$1,302. For the purposes of this paragraph, the counting practices usually followed by the board for staffing purposes are to be followed.



5. Determine the expenditure of the board in the fiscal year for the purchase of furniture or equipment for any classroom used in the program. The amount determined for a classroom under this paragraph, added to the total of all amounts received for the classroom under similar provisions of previous legislative grant regulations, shall not exceed \$3,523 unless the board obtains the Minister's approval.

6. Total the amounts determined under paragraphs 1 to 5.

(6) Despite subsection (5), if the predecessor to a qualifying education program provided by the board was an education program provided by the Ministry in the facility, the amount otherwise determined under this section for a qualifying education program may be increased by an amount determined by the Minister to be appropriate having regard to reasonable costs of the board in connection with program expenditures that were previously made by the Ministry and are not mentioned in subsection (5).

(7) Despite subsections (5) and (6), the amount otherwise determined under this section for a qualifying education program must be reduced by the amount determined by the Minister to be appropriate having regard to the reasonable costs of the board in connection with the program, if the program,

- (a) operates on a smaller scale than was projected in the materials submitted by the board for consideration by the Minister for the purposes of paragraph 3 of subsection (2);
- (b) does not operate during the 2008-2009 school year; or
- (c) ceases to operate during the 2008-2009 school year.

#### **Special education pupil, move to new board**

24. (1) Subsection (2) applies if,

- (a) special equipment has been purchased in respect of a pupil through a special equipment claim approved for a district school board for the fiscal year or under section 20 of the 2007-2008 grant regulation or a predecessor of that section in the grant regulation for a prior fiscal year and the pupil enrolls during the fiscal year in a school that is operated by a different district school board or by a section 68 board; or
- (b) a section 68 board has made expenditures to purchase special equipment for a pupil of a district school board and the pupil enrolls during the fiscal year in a school operated by a different district school board.

(2) The special equipment referred to in subsection (1) must move with the pupil to the new board, unless in the opinion of the new board it is not practical to move the equipment.

(3) Subsection (4) applies if a special equipment claim has been approved for a district school board in respect of a pupil and the pupil enrolls during the fiscal year in a school operated by a different district school board.

(4) Any unspent part of the special equipment claim amount approved in respect of the pupil must be deducted from the amount determined under subsection 20 (2) for the former board and added to the amount determined under subsection 20 (2) for the new board.

(5) Subsection (6) applies if a pupil,

- (a) was a pupil approved for special incidence funding in respect of a district school board; and
- (b) enrolls in a school operated by a different district school board after the end of the 2007-2008 school year.

(6) The total amount of the approved special incidence claims for pupils of the board referred to in clause (5) (a) is reduced and the amount of the approved special incidence claims for pupils of the board referred to in clause (5) (b) is increased to the extent, if any, that the Minister considers appropriate having regard to the costs of each board in the fiscal year in connection with providing the pupil's special education program.

#### **Language allocation, English-language boards**

25. The amount of the language allocation for an English-language district school board for the fiscal year is the sum of,

- (a) the French as a second language amount for the board for the fiscal year; and
- (b) the ESL/ELD amount for the board for the fiscal year.

#### **French as a second language amount**

26. (1) The French as a second language amount for an English-language district school board for the fiscal year is the sum of,

- (a) the French as a second language amount for elementary school pupils of the board; and
- (b) the French as a second language amount for secondary school pupils of the board.

(2) The French as a second language amount for elementary school pupils of a board is determined as follows:

1. Multiply \$266.67 by the number of pupils of the board enrolled in any of grades 4 to 8 who are scheduled on October 31, 2008 to take instruction in French for an average of 20 or more minutes but less than 60 minutes per school day.
  2. Multiply \$303.82 by the number of pupils of the board enrolled in any of grades 4 to 8 who are scheduled on October 31, 2008 to take instruction in French for an average of 60 or more minutes but less than 150 minutes per school day.
  3. Multiply \$339.89 by the number of pupils of the board enrolled in any of grades 1 to 8 who are scheduled on October 31, 2008 to take instruction in French for an average of 150 or more minutes per school day.
  4. Multiply \$339.89 by the number of pupils of the board enrolled in junior kindergarten or kindergarten who are scheduled on October 31, 2008 to take instruction in French for an average of 75 minutes or more per school day.
  5. Total the amounts determined under paragraphs 1 to 4.
- (3) The French as a second language amount for secondary school pupils of a board is determined as follows:
1. Determine an amount for grades 9 and 10 instruction in the subject of French by multiplying \$68.00 by the sum of the amounts determined under the following subparagraphs:
    - i. Determine the credit value of each grade 9 course and grade 10 course in the subject of French that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
    - ii. Determine the credit value of each grade 9 course and grade 10 course in the subject of French that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.
  2. Determine an amount for grades 9 and 10 instruction in a subject other than French if the language of instruction is French by multiplying \$111.87 by the sum of the amounts determined under the following subparagraphs:
    - i. Determine the credit value of each grade 9 course and grade 10 course in a subject other than French that is taught in French on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
    - ii. Determine the credit value of each grade 9 course and grade 10 course in a subject other than French that is taught in French on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of the pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.
  3. Determine an amount for grades 11 and 12 instruction in the subject of French by multiplying \$89.93 by the sum of the amounts determined under the following subparagraphs:
    - i. Determine the credit value of each grade 11 course and grade 12 course in the subject of French that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
    - ii. Determine the credit value of each grade 11 course and grade 12 course in the subject of French that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of the pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.
  4. Determine an amount for grades 11 and 12 instruction in a subject other than French if the language of instruction is French by multiplying \$174.40 by the sum of the amounts determined under the following subparagraphs:
    - i. Determine the credit value of each grade 11 course and grade 12 course in a subject other than French that is taught in French on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
    - ii. Determine the credit value of each grade 11 course and grade 12 course in a subject other than French that is taught in French on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.
  5. Total the amounts determined under paragraphs 1 to 4.

(4) In this section,

“course” means a course at the secondary level that is assigned a common course code in the list of common course codes, which is available as described in subsection 3 (3); (“cours”)



“credit value” means, in respect of a course in which a pupil is enrolled, the number of credits that the pupil is eligible to earn on successfully completing the course; (“valeur en crédits”)

“instruction in French” means instruction in the subject of French or instruction in any other subject if the language of instruction is French. (“enseignement en français”)

#### ESL/ELD amount

27. (1) The ESL/ELD amount for an English-language district school board for the fiscal year is the sum of the amount set out for the board in Table 2 and the product determined by multiplying \$3,473 by the sum of,

- (a) the number of pupils of the board, as of October 31, 2008,
  - (i) who were born in countries described in subsection (2) after December 31, 1987, and
  - (ii) who entered Canada during the period beginning September 1, 2007 and ending October 31, 2008;
- (b) the amount determined by multiplying 0.85 by the number of pupils of the board, as of October 31, 2008,
  - (i) who were born in countries described in subsection (2) after December 31, 1987, and
  - (ii) who entered Canada during the period beginning September 1, 2006 and ending August 31, 2007;
- (c) the amount determined by multiplying 0.5 by the number of pupils of the board, as of October 31, 2008,
  - (i) who were born in countries described in subsection (2) after December 31, 1987, and
  - (ii) who entered Canada during the period beginning September 1, 2005 and ending August 31, 2006; and
- (d) the amount determined by multiplying 0.25 by the number of pupils of the board, as of October 31, 2008,
  - (i) who were born in countries described in subsection (2) after December 31, 1987, and
  - (ii) who entered Canada during the period beginning September 1, 2004 and ending August 31, 2005.

(2) The countries described for the purposes of subsection (1) are,

- (a) countries in which English is not the first language of a majority of the population; and
- (b) countries in which a majority of the population speaks a variety of English that is sufficiently different from the English used as the language of instruction in schools of the board that it is appropriate to offer an ESL or ELD program to pupils from those countries.

#### Language allocation, French-language boards

28. The amount of the language allocation for a French-language district school board for the fiscal year is the total of the amounts determined under the following paragraphs:

1. The French as a first language amount for the board for the fiscal year.
2. The ALF/PDF amount for the board for the fiscal year.

#### French as a first language amount

29. The French as a first language amount for a French-language district school board for the fiscal year is the total of the amounts determined under the following paragraphs:

1. Multiply \$667.63 by the number of elementary school pupils of the board on October 31, 2008.
2. Multiply \$757.92 by the 2008-2009 day school average daily enrolment of the board, counting only secondary school pupils of the board.
3. Multiply \$16,576.95 by the number of elementary schools of the board that are governed for the first time by the board in September, 2008.

#### ALF/PDF amount

30. (1) The ALF/PDF amount for a French-language district school board for the fiscal year is the total of the ALF funding level for the board for the fiscal year and the PDF funding level for the board for the fiscal year.

(2) The ALF funding level for the board for the fiscal year is determined as follows:

1. Multiply the 2008-2009 day school average daily enrolment of elementary school pupils of the board by the assimilation factor for the board set out in Table 3.
2. Multiply the number determined under paragraph 1 by \$799.68.
3. Multiply by \$42,166.88 the number of elementary schools of the board that are qualifying sole elementary schools of the board under subsection 16 (3).



4. Multiply the 2008-2009 day school average daily enrolment of secondary school pupils of the board by the assimilation factor for the board set out in Table 3.
5. Multiply the number determined under paragraph 4 by \$352.89.
6. Multiply by \$78,213.76 the number of secondary schools of the board that are qualifying sole secondary schools or qualifying combined schools of the board under subsection 16 (3).
7. For each qualifying sole secondary school or qualifying combined school of the board under subsection 16 (3), determine an amount as follows:
  - i. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 1 or more but less than 100, the amount for purposes of this paragraph is \$72,093.76.
  - ii. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 100 or more but less than 200, the amount for purposes of this paragraph is \$108,140.64.
  - iii. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 200 or more but less than 300, the amount for purposes of this paragraph is \$144,187.52.
  - iv. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 300 or more but less than 400, the amount for purposes of this paragraph is \$180,234.40.
  - v. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 400 or more, the amount for purposes of this paragraph is \$216,281.28.
8. Total the amounts determined under paragraphs 2, 3, 5, 6 and 7.
9. Add \$261,282.44 to the amount determined under paragraph 8.
- (3) The PDF funding level for the board is the amount determined by multiplying \$3,473 by the sum of,
  - (a) the number of pupils of the board, as of October 31, 2008,
    - (i) who are eligible for PDF funding under subsection (4),
    - (ii) who were born after December 31, 1987 in countries in which French is a standard language of schooling or public administration, and
    - (iii) who entered Canada during the period beginning September 1, 2007 and ending October 31, 2008;
  - (b) the amount determined by multiplying 0.85 by the number of pupils of the board, as of October 31, 2008,
    - (i) who are eligible for PDF funding under subsection (4),
    - (ii) who were born after December 31, 1987 in countries in which French is a standard language of schooling or public administration, and
    - (iii) who entered Canada during the period beginning September 1, 2006 and ending August 31, 2007;
  - (c) the amount determined by multiplying 0.5 by the number of pupils of the board, as of October 31, 2008,
    - (i) who are eligible for PDF funding under subsection (4),
    - (ii) who were born after December 31, 1987 in countries in which French is a standard language of schooling or public administration, and
    - (iii) who entered Canada during the period beginning September 1, 2005 and ending August 31, 2006; and
  - (d) the amount determined by multiplying 0.25 by the number of pupils of the board, as of October 31, 2008,
    - (i) who are eligible for PDF funding under subsection (4),
    - (ii) who were born after December 31, 1987 in countries in which French is a standard language of schooling or public administration, and
    - (iii) who entered Canada during the period beginning September 1, 2004 and ending August 31, 2005.
- (4) For the purposes of subsection (3), a pupil is eligible for PDF funding if the pupil is admitted to a school of the board under section 293 of the Act, and,
  - (a) the pupil speaks a variety of French that is sufficiently different from the French used as the language of instruction in schools of the board that it is appropriate to offer a PDF program to the pupil;
  - (b) the pupil's schooling has been interrupted or delayed; or
  - (c) the pupil has little knowledge of English or French.

(5) In this section,

“2008-2009 combined enrolment” has the same meaning as in subsection 16 (2); (“effectif combiné de 2008-2009”)

“2008-2009 enrolment” has the same meaning as in subsection 16 (2). (“effectif de 2008-2009”)

**First Nation, Métis and Inuit education supplemental allocation**

**31. (1)** The First Nation, Métis and Inuit education supplemental allocation for the fiscal year is the total of,

- (a) the Native language amount for elementary school pupils of the board;
- (b) the Native language amount for secondary school pupils of the board;
- (c) the Native studies amount; and
- (d) the census-based Aboriginal amount.

(2) The Native language amount for elementary school pupils of the board is the total of the amounts determined under the following paragraphs:

- 1. Multiply \$1,802.34 by the number of elementary school pupils of the board who, on October 31, 2008, are scheduled to take instruction in the subject of a Native language for an average of at least 20 minutes but less than 40 minutes per school day.
- 2. Multiply \$2,703.52 by the number of elementary school pupils of the board who, on October 31, 2008, are scheduled to take instruction in the subject of a Native language for an average of at least 40 minutes per school day.

(3) The Native language amount for secondary school pupils of the board is the total of the amounts determined under the following paragraphs:

- 1. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in a Native language that is a level one, level two or level three course taught on a non-semestered basis by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
- 2. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in a Native language that is a level one, level two or level three course taught on a semestered basis by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.
- 3. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in a Native language that is a grade 11 course or grade 12 course taught on a non-semestered basis by the number of pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
- 4. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in a Native language that is a grade 11 course or grade 12 course taught on a semestered basis by the total of the number of pupils of the board enrolled in the course on October 31, 2008 and the number of pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.

(4) The Native Studies amount for the board is the total of the amounts determined under the following paragraphs:

- 1. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in Native studies taught on a non-semestered basis by the number of secondary school pupils of the board enrolled in the course on October 31, 2008, excluding pupils who are at least 21 years of age on December 31, 2008.
- 2. Multiply \$1,504.96 by the sum of the products determined by multiplying the credit value of each course in Native studies taught on a semestered basis by the total number of secondary school pupils of the board enrolled in the course on October 31, 2008 and the number of secondary school pupils of the board enrolled in the course on March 31, 2009, excluding pupils who are at least 21 years of age on December 31, 2008.

(5) The census-based Aboriginal amount for the board is determined as follows:

- 1. If the estimated percentage of students of the board that are First Nation, Métis or Inuit, set out in Column 2 of Table 4 opposite the name of the board, is less than 7.5 per cent, multiply the percentage by the 2008-2009 day school average daily enrolment of pupils of the board.
- 2. If the estimated percentage of students of the board that are First Nation, Métis or Inuit, set out in Column 2 of Table 4 opposite the name of the board, is greater than or equal to 7.5 per cent but less than 15 per cent, determine a number as follows:
  - i. Multiply the percentage by the 2008-2009 day school average daily enrolment of pupils of the board.
  - ii. Multiply the number determined under subparagraph i by 2.



3. If the estimated percentage of students of the board that are First Nation, Métis or Inuit, set out in Column 2 of Table 4 opposite the name of the board, is greater than or equal to 15 per cent, determine a number as follows:
  - i. Multiply the percentage by the 2008-2009 day school average daily enrolment of pupils of the board.
  - ii. Multiply the number determined under subparagraph i by 3.
4. Multiply the number determined under paragraph 1, 2 or 3, as the case may be, by \$69.48.

(6) In this section,

“course” means a course at the secondary level that is assigned a common course code in the list of common course codes, which is available as described in subsection 3 (3); (“cours”)

“credit value” of a course in which a pupil is enrolled means the number of credits that the pupil is eligible to earn on successfully completing the course. (“valeur en crédits”).

#### Learning resources for distant and outlying schools allocation

32. (1) The amount of the learning resources for distant and outlying schools allocation for a district school board for the fiscal year is determined as follows:

1. Take the amount determined under subsection 29 (4) of the 2003-2004 grant regulation for the learning resources component of the distant schools allocation for each distant elementary school of the board, within the meaning of subsection 29 (2.1) of the 2003-2004 grant regulation, that,
  - i. on June 30, 2004, was operated by the board,
  - ii. on June 30, 2004, was located 20 kilometres or more from every other elementary school described in paragraph 1 of subsection 29 (2.1) of the 2003-2004 grant regulation,
  - iii. is operated by the board in the 2008-2009 school board fiscal year, and
  - iv. has a 2008-2009 enrolment that is greater than zero.
2. Total the amounts determined under paragraph 1 for the elementary schools described in that paragraph.
3. Take the amount determined under subsection 29 (8) of the 2003-2004 grant regulation for the learning resources component of the distant schools allocation for each distant secondary school of the board, within the meaning of subsection 29 (2.6) of the 2003-2004 grant regulation, that,
  - i. on June 30, 2004, was operated by the board and,
    - A. was located 45 kilometres or more from every other secondary school described in paragraph 1 of subsection 29 (2.6) of the 2003-2004 grant regulation, or
    - B. was a school described in subparagraph 2 ii of that subsection,
  - ii. is operated by the board in the 2008-2009 school board fiscal year, and,
  - iii. has a 2008-2009 enrolment that is greater than zero.
4. Total the amounts determined under paragraph 3 for the secondary schools described in that paragraph.
5. Total the amounts determined under paragraphs 2 and 4.
6. Add to the amount determined under paragraph 5 the total of the amounts, if any, set out in Column 7 of Table 5 opposite the names of the schools of the board set out in Columns 3 and 4 where the distance in Column 6 is 20 kilometres or more, in the case of an elementary school, and 45 kilometres or more, in the case of a secondary school.
7. For each outlying elementary school of the board, calculate an amount as follows:
  - i. If the 2008-2009 enrolment of the school is 1 or more but less than 50, the amount is determined using the formula:
 
$$\$62,000.63 + (A \times \$6,214.48)$$
 in which,  
 “A” is the 2008-2009 enrolment of the school.
  - ii. If the 2008-2009 enrolment of the school is 50 or more but less than 150, the amount is determined using the formula:

$$\$540,703.22 - (A \times \$3,359.57)$$



in which,

"A" is the 2008-2009 enrolment of the school.

iii. If the 2008-2009 enrolment of the school is 150 or more, the amount is \$36,767.82.

8. Total the amounts determined under paragraph 7 for the outlying elementary schools of the board.

9. For each outlying secondary school of the board, calculate an amount as follows:

- i. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 1 or more but less than 50, the amount is determined using the formula:

$$\$52,988.91 + (A \times \$14,959.46) - B$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, and

"B" is the amount calculated for the school under paragraph 7 of subsection 30 (2).

ii. If the amount determined under subparagraph i is negative, it is deemed to be zero.

iii. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 50 or more but less than 200, the amount is determined using the formula:

$$\$1,009,312.67 - (A \times \$4,167.02) - B$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, and

"B" is the amount calculated for the school under paragraph 7 of subsection 30 (2).

iv. If the amount determined under subparagraph iii is negative, it is deemed to be zero.

v. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 200 or more but less than 500, the amount is determined using the formula:

$$\$245,118.79 - (A \times \$346.05) - B$$

in which,

"A" is the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, and

"B" is the amount calculated for the school under paragraph 7 of subsection 30 (2).

vi. If the amount determined under subparagraph v is negative, it is deemed to be zero.

vii. If the 2008-2009 enrolment or the 2008-2009 combined enrolment of the school, as the case may be, is 500 or more, the amount is determined using the following formula:

$$\$72,093.76 - B$$

in which,

"B" is the amount calculated for the school under paragraph 7 of subsection 30 (2).

viii. If the amount determined under subparagraph vii is negative, it is deemed to be zero.

10. Total the amounts determined under paragraph 9 for the outlying secondary schools of the board.

11. Total the amounts determined under paragraphs 8 and 10.

12. Take the greater of the amounts determined under paragraphs 6 and 11.

13. Take the amount determined under subsection 29 (4) of the 2003-2004 grant regulation for the learning resources component of the distant schools allocation for each distant elementary school of the board, within the meaning of subsection 29 (2.1) of the 2003-2004 grant regulation, that

i. on June 30, 2004, was operated by the board,

ii. on June 30, 2004, was located less than 20 kilometres from at least one other elementary school described in paragraph 1 of subsection 29 (2.1) of the 2003-2004 grant regulation,

iii. is operated by the board in the 2008-2009 school board fiscal year, and

iv. has a 2008-2009 enrolment that is greater than zero.

14. Total the amounts determined under paragraph 13 for the elementary schools described in that paragraph.

15. Take the amount determined under subsection 29 (8) of the 2003-2004 grant regulation for the learning resources component of the distant schools allocation for each distant secondary school of the board, within the meaning of subsection 29 (2.6) of the 2003-2004 grant regulation, that,
  - i. on June 30, 2004, was operated by the board and,
    - A. was located less than 45 kilometres from at least one other secondary school described in paragraph 1 of subsection 29 (2.6) of the 2003-2004 grant regulation, or
    - B. was a school described in subparagraph 2 ii of that subsection,
  - ii. is operated by the board in the 2008-2009 school board fiscal year, and,
  - iii. has a 2008-2009 enrolment that is greater than zero.
16. Total the amounts determined under paragraph 15 for the secondary schools described in that paragraph.
17. Total the amounts, if any, set out in Column 7 of Table 5 opposite the names of the schools of the board set out in Columns 3 and 4 where the distance set out in Column 6 is less than 20 kilometres, in the case of an elementary school, and less than 45 kilometres, in the case of a secondary school.
18. Total the amounts determined under paragraphs 12, 14, 16 and 17.

(2) In this section,

“2008-2009 combined enrolment” has the same meaning as in subsection 16 (2); (“effectif combiné de 2008-2009”)

“2008-2009 enrolment” has the same meaning as in subsection 16 (2); (“effectif de 2008-2009”)

“outlying elementary school” means a qualifying sole elementary school under subsection 16 (3) that is located at least 20 kilometres from every other qualifying sole elementary school of the board; (“école élémentaire excentrée”)

“outlying secondary school” means a qualifying sole secondary school or a qualifying combined school under subsection 16 (3) that is located at least 45 kilometres from every other qualifying sole secondary school and qualifying combined school of the board. (“école secondaire excentrée”)

(3) The following rules apply for purposes of subsections (1) and (2):

1. A measure of distance shall be by road and shall be accurate to 0.1 kilometre.
2. A qualifying sole elementary school, a qualifying sole secondary school or a qualifying combined school under subsection 16 (3) that is located on an island that is not connected by road to the mainland shall be considered an outlying elementary or secondary school, as the case may be, unless the school is located in the City of Toronto.
3. Where two or more qualifying sole elementary schools are treated as one qualifying sole elementary school under paragraph 4 of subsection 16 (3), the qualifying sole elementary school within the group that has the largest capacity, within the meaning of subsection 56 (31), shall be used for the purpose of measuring distance.
4. Where two or more qualifying sole secondary schools are treated as one qualifying sole secondary school under paragraph 5 of subsection 16 (3), the qualifying sole secondary school within the group that has the largest capacity, within the meaning of subsection 56 (32), shall be used for the purpose of measuring distance.
5. The school that, among the schools making up a qualifying combined school under paragraph 2 of subsection 16 (3), has the greatest capacity within the meaning of subsection 56 (31) or (32), as the case may be, shall be used for the purpose of measuring distance.
6. The distance between schools shall be determined as of June 30, 2009.

**Remote and rural allocation**

33. (1) The amount of the remote and rural allocation for a district school board for the fiscal year is the total of the board's small board amount, the board's distance amount and the board's dispersion amount.

(2) The board's small board amount is the amount, if any, determined under the following paragraph that applies to the board:

1. If the 2008-2009 day school average daily enrolment of pupils of the board is less than 4,000,
  - i. multiply the 2008-2009 day school average daily enrolment of pupils of the board by \$0.01644,
  - ii. subtract the amount determined under subparagraph i from \$302.72, and
  - iii. multiply the amount determined under subparagraph ii by the 2008-2009 day school average daily enrolment of pupils of the board.
2. If the 2008-2009 day school average daily enrolment of pupils of the board is at least 4,000 but less than 8,000,
  - i. subtract 4,000 from the 2008-2009 day school average daily enrolment of pupils of the board,

- ii. multiply the number determined under subparagraph i by \$0.01888,
  - iii. subtract the amount determined under subparagraph ii from \$236.96, and
  - iv. multiply the amount determined under subparagraph iii by the 2008-2009 day school average daily enrolment of pupils of the board.
3. If the 2008-2009 day school average daily enrolment of pupils of the board is 8,000 or more,
- i. subtract 8,000 from the 2008-2009 day school average daily enrolment of pupils of the board,
  - ii. multiply the number determined under subparagraph i by \$0.02018,
  - iii. subtract the amount determined under subparagraph ii from \$161.45,
  - iv. if the amount determined under subparagraph iii is greater than zero, multiply the amount determined under subparagraph iii by the 2008-2009 day school average daily enrolment of pupils of the board, and
  - v. if the amount determined under subparagraph iii is not greater than zero, the board's small board amount is zero.
- (3) The board's distance amount is,
- (a) the product of the 2008-2009 day school average daily enrolment of pupils of the board multiplied by the board's distance factor per pupil, if the board is an English-language district school board; or
  - (b) the product of the 2008-2009 day school average daily enrolment of pupils of the board multiplied by the greater of the board's distance factor per pupil or \$168.69, if the board is a French-language district school board.
- (4) The board's distance factor per pupil is the amount determined by multiplying the urban factor specified for the board in Column 3 of Table 6 by the amount determined under the following paragraph that applies to the board:
- 1. If the distance specified for the board in Column 2 of Table 6 is less than 151 kilometres, the amount is zero.
  - 2. If the distance specified for the board in Column 2 of Table 6 is equal to or greater than 151 kilometres but less than 650 kilometres, the amount is determined using the formula:

$$(A - 150) \times \$1.03274$$

in which,

"A" is the distance specified for the board in Column 2 of Table 6.

- 3. If the distance specified for the board in Column 2 of Table 6 is equal to or greater than 650 kilometres but less than 1,150 kilometres, the amount is determined using the formula:

$$[(A - 650) \times \$0.139] + \$516.37$$

in which,

"A" is the distance specified for the board in Column 2 of Table 6.

- 4. If the distance specified for the board in Column 2 of Table 6 is equal to or greater than 1,150 kilometres, the amount is \$585.87.

- (5) The board's dispersion amount is the amount calculated using the formula,

$$(DD - F) \times ADE \times \$5.43399$$

in which,

"DD" is the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board in Column 1 of that Table,

"F" is the lesser of "DD" and 14 kilometres, and

"ADE" is the 2008-2009 day school average daily enrolment of pupils of the board.

#### **Rural and small community allocation**

34. The amount of the rural and small community allocation for a district school board for the fiscal year is determined as follows:

- 1. If the percentage set out in Column 5 of Table 6 opposite the name of the board is less than 25 per cent, the amount of the allocation is zero.
- 2. If the percentage set out in Column 5 of Table 6 opposite the name of the board is greater than or equal to 25 per cent but less than 75 per cent, the amount of the allocation is determined using the formula:

$$\$41.34 \times ADE \times (A - 25\%)$$



where,

“ADE” is the 2008-2009 day school average daily enrolment of pupils of the board, and

“A” is the percentage set out in Column 5 of Table 6 opposite the name of the board.

3. If the percentage set out in Column 5 of Table 6 opposite the name of the board is greater than or equal to 75 per cent, the amount of the allocation is the product of \$20.67 and the 2008-2009 day school average daily enrolment of pupils of the board

#### **Learning opportunities allocation**

**35.** (1) The amount of the learning opportunities allocation for a district school board for the fiscal year is the total of the amounts set out or determined under the following paragraphs:

1. The amount set out in Column 2 of Table 7 opposite the name of the board.
2. The board's literacy and numeracy assistance amount for the fiscal year.
3. The board's student success, grades 7 to 12, amount for the fiscal year.

(2) The board's literacy and numeracy assistance amount for the fiscal year is determined as follows:

1. Determine the summer school average daily enrolment for the board for the fiscal year in accordance with section 4 of the 2008-2009 A.D.E. regulation, counting only pupils of the board enrolled in classes or courses described in subclauses (c) (iii) and (iv) of the definition of “summer school class or course” in subsection 4 (1) of that regulation.
2. Determine the continuing education average daily enrolment for the board for the fiscal year in accordance with section 3 of the 2008-2009 A.D.E. regulation, counting only pupils of the board enrolled in classes or courses described in paragraphs 3, 4 and 5 of subsection 3 (2) of that regulation.
3. Add the numbers determined under paragraphs 1 and 2.
4. Multiply the number determined under paragraph 3 by \$5,840.
5. Add the amount of the board's transportation costs related to literacy and numeracy instruction for the fiscal year.

(3) The amount of the board's transportation costs related to literacy and numeracy instruction for the fiscal year is determined as follows:

1. Take the amount of the board's transportation allocation for the fiscal year.
2. Deduct the amount determined for the board under paragraph 7 of section 41.
3. Divide the result obtained under paragraph 2 by the 2008-2009 day school average daily enrolment of pupils of the board.
4. Multiply the result obtained under paragraph 3 by the enrolment amount determined under paragraph 1 of subsection (2).
5. Multiply the result obtained under paragraph 4 by 3.0.

(4) The board's student success, grades 7 to 12, amount for the fiscal year is the amount determined as follows:

1. Multiply \$27.57 by the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 9, 10, 11 and 12.
2. Multiply \$11.01 by the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 4, 5, 6, 7 and 8.
3. Multiply 0.0023 by the difference obtained by subtracting the amount determined in respect of the board under paragraph 7 of section 41 from the transportation allocation for the board for the fiscal year.
4. Multiply the student success, grades 7 to 12, demographic factor set out in Column 3 of Table 7 opposite the name of the board in Column 1 of that Table by \$11,067,904.
5. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 9, 10, 11 and 12, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board in Column 1 of that Table.
6. Multiply the amount determined in paragraph 5 by \$0.55.
7. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 4, 5, 6, 7 and 8, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board in Column 1 of that Table.
8. Multiply the amount determined in paragraph 7 by \$0.21.

9. Add the amounts determined under paragraphs 1, 2, 3, 4, 6 and 8.
10. Add \$153,734 to the sum determined under paragraph 9.

**Safe schools allocation**

36. (1) The amount of the safe schools allocation for a district school board for the fiscal year is the sum of,
- (a) the programs and supports component for the district school board for the fiscal year; and
  - (b) the professional staff support component for the district school board for the fiscal year.
- (2) The amount of the programs and supports component for the district school board for the fiscal year is determined as follows:
1. Multiply the 2008-2009 day school average daily enrolment of pupils of the board by \$7.17.
  2. Multiply the 2008-2009 day school average daily enrolment of pupils of the board by the weighted per-pupil amount for programs and supports set out in Column 2 of Table 8 opposite the name of the board.
  3. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 9, 10, 11 and 12, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board.
  4. Multiply the number determined under paragraph 3 by \$0.458976.
  5. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 4, 5, 6, 7 and 8, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board.
  6. Multiply the number determined under paragraph 5 by \$0.172116.
  7. Total the amounts determined under paragraphs 1, 2, 4 and 6.
  8. Take the greater of \$50,000 and the amount determined under paragraph 7.
- (3) The amount of the professional staff support component for the district school board for the fiscal year is determined as follows:
1. Multiply the 2008-2009 day school average daily enrolment of pupils of the board by \$3.28.
  2. Multiply the 2008-2009 day school average daily enrolment of pupils of the board by the weighted per-pupil amount for professional staff support, set out in Column 3 of Table 8 opposite the name of the board.
  3. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 9, 10, 11 and 12, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board.
  4. Multiply the number determined under paragraph 3 by \$0.209664.
  5. Multiply the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in grades 4, 5, 6, 7 and 8, by the dispersion distance in kilometres set out in Column 4 of Table 6 opposite the name of the board.
  6. Multiply the number determined under paragraph 5 by \$0.078624.
  7. Total the amounts determined under paragraphs 1, 2, 4 and 6.
  8. Take the greater of \$25,000 and the amount determined under paragraph 7.

**Continuing education and other programs allocation**

37. (1) The amount of the continuing education and other programs allocation for a district school board for the fiscal year is determined as follows:
1. Determine the 2008-2009 day school average daily enrolment for the board, for the fiscal year, in accordance with section 2 of the 2008-2009 A.D.E. regulation, counting only pupils of the board who are at least 21 years of age on December 31, 2008.
  2. Determine the continuing education average daily enrolment for the board for the fiscal year, in accordance with section 3 of the 2008-2009 A.D.E. regulation, counting only pupils enrolled in classes or courses described in paragraphs 1, 2, 6 and 7 of subsection 3 (2) of that regulation and excluding,
    - i. pupils to whom subsection 49 (6) of the Act applies, and
    - ii. pupils in respect of whom the board charges a fee under subsection 8 (4) of the 2008-2009 fees regulation.



3. Determine the summer school average daily enrolment for the board for the fiscal year, in accordance with section 4 of the 2008-2009 A.D.E. regulation, counting only pupils enrolled in classes or courses described in subclause (c) (i), (ii), (v) or (vi) of the definition of "summer school class or course" in subsection 4 (1) of that regulation, excluding pupils to whom subsection 49 (6) of the Act applies and pupils in respect of whom the board charges a fee under subsection 8 (5) of the 2008-2009 fees regulation.
4. Add the numbers determined under paragraphs 1, 2 and 3.
5. Multiply the total determined under paragraph 4 by \$2,679.
6. Determine the amount for international languages for the board.
7. Determine the amount for the board for prior learning assessment and recognition that is not provided as part of a day school program.
8. Total the amounts determined under paragraphs 5, 6 and 7.

(2) Subsections (3) and (4) apply if a board establishes classes to provide instruction in a language other than English or French and the classes are approved by the Minister as part of an international languages elementary school program.

(3) Except as provided in subsection (4), the amount for international languages for the board is the number of hours of instruction provided by the board in classes described in subsection (2), multiplied by \$45.64.

(4) If the quotient obtained by dividing the number of elementary school pupils enrolled in classes described in subsection (2) that have been established by the board by the number of those classes is less than 23, the \$45.64 per hour rate specified in subsection (3) is reduced by the product of \$1 and the difference between the quotient and 23.

(5) The amount for the board for the fiscal year for prior learning assessment and recognition that is not provided as part of a day school program is the sum of the amounts determined under the following paragraphs:

1. Multiply \$108 by the number of mature students of the board who, during the school board fiscal year, received an individual student assessment for grade 9 or 10 credits in accordance with section 6.6 of the document entitled "Ontario Secondary Schools, Grades 9 to 12 — Program and Diploma Requirements — 1999", which is available as described in subsection 3 (4).
2. Multiply \$108 by the number of mature students of the board who, during the school board fiscal year, received an individual student equivalency assessment for grade 11 or 12 credits in accordance with section 6.6 of the document entitled "Ontario Secondary Schools, Grades 9 to 12 — Program and Diploma Requirements — 1999", which is available as described in subsection 3 (4).
3. Multiply \$324 by the number of completed challenges for grades 11 and 12 credits undertaken during the school board fiscal year by mature students of the board in accordance with section 6.6 of the Ministry's publication entitled "Ontario Secondary Schools Grades 9 to 12 — Program and Diploma Requirements — 1999", which is available as described in subsection 3 (4).

(6) The following rules apply for purposes of subsection (5):

1. A pupil of the board is a mature student for the fiscal year if he or she is at least 18 years of age on December 31, 2008 and was not enrolled in a day school program in one or more prior school years.
2. In determining the number of completed challenges for grades 11 and 12 credits undertaken by mature students of the board, a full credit course is counted as one credit and a half-credit course is counted as 0.5 credit.

#### **Cost adjustment and new teacher induction program allocation**

38. (1) The amount of the cost adjustment and new teacher induction program allocation for a district school board for the fiscal year is the total of the following amounts:

1. The new teacher induction program amount.
2. The elementary school teacher qualification and experience amount.
3. The secondary school teacher qualification and experience amount.
4. The amount set out in Column 2 of Table 10 opposite the name of the board.

(2) For purposes of this section and sections 39 and 40, the counting practices usually followed by the board for staffing purposes apply, subject to the following rules:

1. A teacher who is not assigned to provide instruction to pupils of the board in a regular timetable that is in effect as of October 31, 2008 is not counted, unless he or she is on a leave of absence with pay on October 31, 2008 and the board is not reimbursed for the teacher's pay during the leave of absence.
2. The provision of library instruction or guidance to pupils is considered the provision of instruction to pupils for the purposes of paragraph 1.



(3) In this section and in sections 39 and 40,

“AEFO” stands for l’Association des enseignantes et des enseignants franco-ontariens; (“AEFO”)

“AEFO certification” means the AEFO certification of Group 1, Group 2, Group 3 or Group 4; (“certification de l’AEFO”)

“new teacher” and “new teaching period” have the same meaning as in Part X.0.1 of the Act (“nouvel enseignant” et “nouvelle période d’enseignement”);

“OSSTF” stands for the Ontario Secondary School Teachers’ Federation; (“FEESO”)

“OSSTF certification” means the OSSTF certification of Group 1, Group 2, Group 3 or Group 4; (“certification de la FEESO”)

“QECO” stands for Qualifications Evaluation Council of Ontario; (“COEQ”)

“QECO category” means the QECO category D, C, B, A1, A2, A3 or A4; (“catégorie du COEQ”)

“qualification category” means AEFO certification, OSSTF certification or QECO category; (“catégorie de qualifications”)

“teacher” includes a temporary teacher and does not include,

- (a) a continuing education teacher, or
- (b) an occasional teacher, except as provided in paragraph 3 of subsection 40 (4). (“enseignant”)

#### **New teacher induction program amount**

39. (1) The amount for a district school board for the fiscal year for the new teacher induction program is the sum of,

- (a) \$20,000; and
- (b) the product of \$2,000 and the number of teachers employed by the board who are new teachers and whose new teaching period commences between October 2, 2007 and October 31, 2008.

(2) For the purposes of subsection (1), the number of teachers employed by the board is determined by counting each person employed by the board as of October 31, 2008 as a teacher, whether the person is employed on a full-time basis or a part-time basis.

#### **Elementary and secondary qualification and experience amount**

40. (1) The amount for a district school board for the fiscal year for elementary school teacher qualification and experience is determined as follows:

1. For each cell in Table 9, determine the number of teachers employed by the board to provide instruction to elementary school pupils who have the qualification category and the number of full years of teaching experience that correspond with the co-ordinates of the cell. For example, a teacher with a qualification category of D and 0.7 years of teaching experience is counted for the purposes of cell D-1 and a teacher with a qualification category of A2 or group 2 and 3.2 years of teaching experience is counted for the purposes of cell A2/group 2-3.
2. For each cell in Table 9, multiply the number of teachers employed by the board to provide instruction to elementary school pupils who are counted for the purposes of the cell by the number set out in that cell in that Table.
3. Add all the products obtained under paragraph 2 for the board.
4. Divide the sum determined under paragraph 3 by the total number of teachers employed by the board to provide instruction to elementary school pupils.
5. Subtract one from the number obtained under paragraph 4.
6. Multiply the result obtained under paragraph 5 by \$3,500.02.
7. Multiply the amount determined under paragraph 6 by the 2008-2009 day school average daily enrolment of elementary school pupils of the board.

(2) The amount for a district school board for the fiscal year for secondary school teacher qualification and experience is determined as follows:

1. For each cell in Table 9, determine the number of teachers employed by the board to provide instruction to secondary school pupils who have the qualification category and the number of full years of teaching experience that correspond with the co-ordinates of the cell. For example, a teacher with a qualification category of D and 0.7 years of teaching experience is counted for the purposes of cell D-1 and a teacher with a qualification category of A2 or group 2 and 3.2 years of teaching experience is counted for the purposes of cell A2/group 2-3.
2. For each cell in Table 9, multiply the number of teachers employed by the board to provide instruction to secondary school pupils who are counted for the purposes of the cell by the number set out in that cell in that Table.

3. Add all the products obtained under paragraph 2 for the board.
  4. Divide the sum determined under paragraph 3 by the total number of teachers employed by the board to provide instruction to secondary school pupils.
  5. Subtract one from the number obtained under paragraph 4.
  6. Multiply the result obtained under paragraph 5 by \$4,430.88.
  7. Multiply the amount determined under paragraph 6 by the 2008-2009 day school average daily enrolment of secondary school pupils of the board.
- (3) For the purposes of this section, the number of teachers employed by a board is the full-time equivalent number of persons employed by the board as of October 31, 2008 to teach.
- (4) The following rules apply to the counting of teachers for the purposes of subsection (3):
1. If a teacher is assigned in a regular timetable that is in effect as of October 31, 2008 to spend part of his or her time providing instruction to pupils of the board and is also assigned, as of that date, under section 17 of Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools — General) made under the Act, to spend part of his or her time acting as a consultant, co-ordinator or supervisor, the full-time equivalency for the teacher is determined as follows:
    - i. Determine the average number of hours per day in the cycle that includes October 31, 2008 for which the teacher is regularly scheduled, in accordance with the timetable, to provide instruction to pupils of the board or to prepare for such instruction. For the purposes of this subparagraph, a count of hours is accurate to one decimal place.
    - ii. Divide the total determined under subparagraph i by 5.
  2. If a principal or vice-principal is assigned in a regular timetable that is in effect as of October 31, 2008 to spend part of his or her time providing instruction to pupils of the board, the principal or vice-principal is counted as a teacher for the purposes of this section and his or her full-time equivalency as a teacher is determined as follows:
    - i. Determine the average number of hours per day in the cycle that includes October 31, 2008 for which the principal or vice-principal is regularly scheduled, in accordance with the timetable, to provide instruction to pupils of the board. For the purposes of this subsection, a count of hours is accurate to one decimal place.
    - ii. Divide the number determined under subparagraph i by 5.
  3. An occasional teacher who is assigned to provide instruction to pupils of the board in a regular timetable in effect on October 31, 2008 is counted as a teacher for the purposes of this section unless the teacher whom the occasional teacher replaces is included in determining the number of teachers employed by the board under subsection (3) and the board can reasonably expect the teacher to resume instructional duties with the board in the fiscal year.
- (5) In this section, a cell of Table 9 is referred to by its qualification category co-ordinate followed by the number co-ordinate representing full years of teaching experience. For example, cell C-1 of Table 9 contains the number 0.6185 and cell A1/group 1-3 contains the number 0.7359.
- (6) The following rules apply in determining the number of full years of teaching experience of a teacher:
1. The number of full years of teaching experience of a teacher is deemed to be the teacher's number of years of teaching experience before the first day of the 2008-2009 school year, rounded to the nearest whole number if the teacher's number of years of teaching experience is not a whole number and, for this purpose, a number ending in .5 is considered to be nearer to the next whole number.
  2. If the number of full years of teaching experience of a teacher exceeds 10, the number of full years of teaching experience of the teacher is deemed to be 10.
  3. The number of full years of teaching experience of a principal or vice-principal is deemed to be 10.
- (7) The following rules apply, as of October 31, 2008, to determine the qualification category of a teacher:
1. If a board uses an AEFO certification system for salary purposes in relation to a teacher employed by it, that AEFO certification system is used for that teacher for the purposes of this section.
  2. If a board uses a QECO categories system for salary purposes in relation to a teacher employed by it, that QECO categories system is used for that teacher for the purposes of this section.
  3. If a board uses an OSSTF certification system for salary purposes in relation to a teacher employed by it, that OSSTF certification system is used for that teacher for the purposes of this section.
  4. Subject to paragraph 6, if a board does not use a QECO categories system for salary purposes in relation to an elementary school teacher employed by it, the classification system used by the board for elementary school teachers in filling out the 2005 Data Form A is used for that teacher for the purposes of this section.



5. Subject to paragraph 6, if a board does not use an AEFO certification system, a QECO categories system or an OSSTF certification system for salary purposes in relation to a secondary school teacher employed by it, the classification system used by the board for secondary school teachers in filling out the 2005 Data Form A is used for that teacher for the purposes of this section.
6. In the circumstances described in paragraph 4 or 5, the board may elect, by written notice to the Minister, to use the AEFO certification system, the QECO categories system referred to by QECO as QECO Programme Level 4 or the 1992 OSSTF certification system, instead of the classification system required under paragraph 4 or 5.
7. The qualification category of a principal or vice-principal is deemed to be A4/Group 4.
8. If the qualification category of a person is changed after October 31, 2008 and the change for salary purposes is retroactive to a day in the period between the first day of the 2008-2009 school year and October 31, 2008, the changed qualification category must be used for the purposes of this section.
9. The 2005 Data Form A, referred to in paragraphs 4 and 5, is available as described in subsection 3 (5).

#### **Transportation allocation**

41. The amount of the transportation allocation for a district school board for the fiscal year is determined as follows:
  1. Take the amount determined in respect of the board under paragraph 6 of section 37 of the 2007-2008 grant regulation.
  2. Multiply the amount determined under paragraph 1 by 0.033.
  3. Take the 2007-2008 day school average daily enrolment of pupils of the board, within the meaning of the 2007-2008 grant regulation.
  4. Divide the 2008-2009 day school average daily enrolment of pupils of the board by the number determined under paragraph 3. If the quotient is less than 1, it is deemed to be 1.
  5. Multiply the amount determined under paragraph 1 by the number determined under paragraph 4.
  6. Total the amounts determined under paragraphs 2 and 5.
  7. Determine the board's expenditure in the fiscal year that is approved by the Minister, based on submissions by the board, in respect of transportation to and from the Ontario School for the Blind, an Ontario School for the Deaf or a demonstration school established by or operated under an agreement with the Minister for pupils with severe communicational exceptionalities.
  8. Total the amounts determined under paragraphs 6 and 7.

#### **Administration and governance allocation**

42. (1) The amount of the administration and governance allocation for a district school board for the fiscal year is the total of the amounts listed in the following paragraphs:
  1. The amount determined under subsection (2) for the board for board members' and student trustees' honoraria and expenses.
  2. The amount determined under subsection (4) for the board for directors of education and supervisory officers.
  3. The amount determined under subsection (5) for the board for administration costs.
  4. The amount determined under subsection (6) for the board for multiple municipalities.
- (2) The amount for the board for board members' and student trustees' honoraria and expenses is determined as follows:
  1. Multiply the number of members of the board by \$5,000. For the purposes of this paragraph and paragraphs 3, 5, and 11, the number of members of the board is the sum of,
    - i. the number of members determined for the board under subclause 58.1 (2) (k) (i) of the Act for the purposes of the 2006 regular election or, if a resolution referred to in subsection 58.1 (10.1) of the Act is in effect for the purposes of that election, the number of members specified in the resolution, and
    - ii. the number of Native representatives determined for the board under subsection 188 (5) of the Act for the term of office beginning in December, 2006.
  2. Add \$10,000 to the amount determined under paragraph 1.
  3. Multiply \$7,100 by the number of members of the board.
  4. Add \$7,500 to the amount determined under paragraph 3.
  5. Multiply \$1,800 by the number of members of the board if the board has,
    - i. a board area greater than 9,000 square kilometres, as set out in Table 1 of Ontario Regulation 412/00 (Elections to and Representation on District School Boards) made under the Act, as that regulation read on January 1, 2008, or



- ii. a dispersal factor of greater than 25 as set out in Table 5 of Ontario Regulation 412/00, made under the Act, as that regulation read on January 1, 2008.
6. Take the sum of the amounts that would be determined for the members of the board under subsections 6 (2), (3) and (4) of Ontario Regulation 357/06 (Honoraria for Board Members) made under the Act, for the year beginning December 1, 2008, if only pupils of the board were counted in determining the enrolment of the board in section 9 of that regulation.
7. Take the total of the amounts determined under paragraphs 4 and 6 and under paragraph 5, if any.
8. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 7.
9. Multiply the amount determined under paragraph 8 by 0.5.
10. Add the amount determined under paragraph 9 to the amount determined under paragraph 2 to determine the amount for board members' honoraria.
11. Multiply the number of members of the board by \$5,000 to determine the amount for board members' expenses.
12. Determine the amount for the fiscal year of the honoraria to which student trustees of the board are entitled under subsection 55 (8) of the Act.
13. Divide the amount determined under paragraph 12 by 2 to determine the amount for student trustees' honoraria.
14. Multiply the number of student trustees required by board policy on September 1, 2008 by \$5,000, to determine the amount for student trustees' expenses.
15. Total the amounts obtained under paragraphs 10, 11, 13 and 14.
- (3) For the purposes of subsection (4), pupils are counted on the basis of the 2008-2009 day school average daily enrolment of pupils of the board.
- (4) The amount for the board for directors of education and supervisory officers is determined as follows:
  1. Allow \$490,503 as a base amount.
  2. Allow \$12.50 per pupil for the first 10,000 pupils of the board.
  3. Allow \$18.26 per pupil for the next 10,000 pupils of the board.
  4. Allow \$25.10 per pupil for the remaining pupils of the board.
  5. Total the amounts allowed under paragraphs 1 to 4.
  6. Add 2.17 per cent of the amount of the board's remote and rural allocation for the fiscal year.
  7. Add 0.62 per cent of the total of the amounts determined for the board under paragraph 1 of subsection 35 (1).
  8. Add 1 per cent of the total of the amounts determined for the board under section 49 for new pupil places, section 50 for primary class size reduction, section 51 for growth schools, section 52 for the capital transitional adjustment, section 53 for the replacement of schools that are prohibitive to repair and section 54 for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act.
- (5) The amount for the board for administration costs is determined as follows:
  1. Allow \$91,216 as a base amount.
  2. Add the product of \$197.58 and the 2008-2009 day school average daily enrolment of pupils of the board.
  3. Add 11.94 per cent of the amount of the board's remote and rural allocation for the fiscal year.
  4. Add 0.62 per cent of the amount set out in Column 2 of Table 7 opposite the name of the board.
  5. Add 1 per cent of the total of the amounts determined for the board under section 49 for new pupil places, section 50 for primary class size reduction, section 51 for growth schools, section 52 for the capital transitional adjustment, section 53 for the replacement of schools that are prohibitive to repair and section 54 for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act.
6. If the 2008-2009 day school average daily enrolment of pupils of the board is less than 26,000, add \$200,000.
7. Add an amount to assist the board to implement the standards recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants, determined using the formula:

$$(A \times \$1.05) + \$50,000$$

in which,

"A" is the 2008-2009 day school average daily enrolment of pupils of the board.

(6) The amount, if any, for a board for multiple municipalities is the amount determined under the following rules:

1. If, on September 1, 2008, there are at least 30 but not more than 49 municipalities situated wholly or partly within the board's area of jurisdiction, the amount is determined using the following formula:

$$(n - 29) \times \$500$$

in which,

"n" is the number of those municipalities.

2. If, on September 1, 2008, there are at least 50 but not more than 99 municipalities situated wholly or partly within the board's area of jurisdiction, the amount is determined using the following formula:

$$\$10,000 + [(n - 49) \times \$750]$$

in which,

"n" is the number of those municipalities.

3. If, on September 1, 2008, there are at least 100 municipalities situated wholly or partly within the board's area of jurisdiction, the amount is determined using the following formula:

$$\$47,500 + [(n - 99) \times \$1,000]$$

in which,

"n" is the number of those municipalities.

(7) For the purposes of subsection (6), a deemed district municipality is not counted as a municipality.

#### **Program enhancement allocation**

43. The amount of the program enhancement allocation for a district school board for the fiscal year is determined by multiplying \$9,650 by the total number of qualifying sole elementary schools, qualifying sole secondary schools and qualifying combined schools of the board, as determined under subsection 16 (3).

#### **Community use of schools allocation**

44. (1) The amount of the community use of schools allocation for a district school board for the fiscal year is the total of the following amounts:

1. The community use of schools operations amount for the district school board for the fiscal year, set out in Column 2 of Table 13 opposite the name of the board.
2. The community use of schools coordinators' amount for the district school board for the fiscal year, determined as follows:
  - i. Multiply the number of qualifying schools of the board by \$800.
  - ii. Add \$36,000 to the product determined under subparagraph i.

(2) In this section,

"qualifying school" means a school that is a qualifying sole elementary school, a qualifying sole secondary school or a qualifying combined school under subsection 16 (3).

#### **Pupil accommodation allocation**

45. (1) The amount of the pupil accommodation allocation for a district school board for the fiscal year is the total of the following amounts:

1. The amount for school operations.
2. The amount for school renewal.
3. The amount for urgent and high priority renewal projects.
4. The amount for new pupil places.
5. The amount for primary class size reduction.
6. The amount for growth schools.
7. The amount for the capital transitional adjustment.
8. The amount for the replacement of schools that are prohibitive to repair.
9. The amount for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act.



10. The amount for outstanding capital commitments.

(2) In this section and in sections 46 to 56,

“2006-2007 enrolment” means, in respect of a school operated by a board, the 2006-2007 day school average daily enrolment of pupils of the board, within the meaning of Ontario Regulation 339/06 (Calculation of Average Daily Enrolment for the 2006-2007 School Board Fiscal Year) made under the Act, counting only pupils enrolled in the school; (“effectif de 2006-2007”)

“2006-2007 reported capacity” means, in respect of a school operated by a board, the school capacity as reported in Appendix C to the board’s 2006-2007 financial statements prepared and submitted to the Ministry under the Act; (“capacité d’accueil déclarée pour 2006-2007”)

“2007-2008 enrolment” means, in respect of a school operated by a board, the 2007-2008 day school average daily enrolment of pupils of the board within the meaning of Ontario Regulation 150/07 (Calculation of Average Daily Enrolment for the 2007-2008 School Board Fiscal Year) made under the Act, counting only pupils enrolled in the school; (“effectif de 2007-2008”)

“2007-2008 reported capacity” means, in respect of a school operated by a board, the school capacity as reported in Appendix C to the board’s 2007-2008 financial statements prepared and submitted to the Ministry under the Act; (“capacité d’accueil déclarée pour 2007-2008”)

“2008-2009 enrolment” means, in respect of a school operated by a board, the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in the school; (“effectif de 2008-2009”)

“elementary facility” means a facility that is or was an elementary school of a board; (“établissement élémentaire”)

“instructional space” means a space in a school that can reasonably be used for instructional purposes; (“aire d’enseignement”)

“outlying elementary school” has the same meaning as in subsection 32 (2); (“école élémentaire excentrée”)

“outlying secondary school” has the same meaning as in subsection 32 (2); (“école secondaire excentrée”)

“secondary facility” means a facility that is or was a secondary school of a board. (“établissement secondaire”)

#### Amount for school operations

46. (1) The amount for the board for the fiscal year for school operations is determined as follows:

1. Determine the 2008-2009 day school average daily enrolment of elementary school pupils of the board.
2. Multiply the number determined under paragraph 1 by the benchmark area requirement per pupil of 9.7 metres squared to obtain the elementary school area requirement for the board.
3. Determine the adjusted elementary school area requirement for the board in metres squared by applying, to the amount determined under paragraph 2, the supplementary elementary school area factor approved for the board by the Minister in accordance with subsections (2) and (3).
4. Determine the day school average daily enrolment for the board for the 2008-2009 fiscal year, in accordance with section 2 of the 2008-2009 day school A.D.E. regulation, counting only pupils who are at least 21 years of age on December 31, 2008.
5. Determine the continuing education average daily enrolment for the board for the 2008-2009 fiscal year, in accordance with section 3 of the 2008-2009 A.D.E. regulation, counting only pupils enrolled in a course for which the pupil may earn a credit and in which instruction is given between 8 a.m. and 5 p.m. and excluding,
  - i. pupils enrolled in a continuing education course delivered primarily through means other than classroom instruction,
  - ii. pupils to whom subsection 49 (6) of the Act applies, and
  - iii. pupils in respect of whom the board charges a fee under subsection 8 (4) of the 2008-2009 fees regulation.
6. Determine the summer school average daily enrolment for the board for the 2008-2009 fiscal year, in accordance with section 4 of the 2008-2009 A.D.E. regulation, excluding,
  - i. pupils to whom subsection 49 (6) of the Act applies, and
  - ii. pupils in respect of whom the board charges a fee under subsection 8 (5) of the 2008-2009 fees regulation.
7. Take the total number of pupil places in education programs provided by the board that are qualifying education programs within the meaning of subsection 23 (2) for which instruction is provided on board premises.
8. Add the numbers determined under paragraphs 4, 5, 6 and 7.
9. Multiply the total determined under paragraph 8 by the benchmark area requirement per pupil of 9.29 metres squared, to obtain the continuing education and other programs area requirement for the board.



10. Determine the adjusted continuing education and other programs area requirement for the board in metres squared by applying, to the amount determined under paragraph 9, the supplementary continuing education and other programs area factor approved for the board by the Minister in accordance with subsection (4).
11. Determine the 2008-2009 day school average daily enrolment of secondary school pupils of the board.
12. Multiply the number determined under paragraph 11 by the benchmark area requirement per pupil of 12.07 metres squared to obtain the secondary school area requirement for the board.
13. Determine the adjusted secondary school area requirement for the board in metres squared by applying, to the amount determined under paragraph 12, the supplementary secondary school area factor approved for the board by the Minister in accordance with subsection (6).
14. Obtain the adjusted total area requirement for the board in metres squared by adding the following amounts:
  - i. The adjusted elementary school area requirement for the board determined under paragraph 3.
  - ii. The adjusted continuing education and other programs area requirement for the board determined under paragraph 10.
  - iii. The adjusted secondary school area requirement for the board determined under paragraph 13.
15. Multiply the number obtained under paragraph 14 by the benchmark operating cost of \$67.41 per metre squared.
16. For each elementary school of the board, calculate a top-up amount for school operations as follows:
  - i. Determine the 2008-2009 enrolment.
  - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection 56 (31). However, the capacity of a school for which the number determined under subparagraph i is zero is deemed, for the purposes of this paragraph, to be zero.
  - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 9.7 metres squared.
  - iv. Multiply the number determined under subparagraph iii by the benchmark operating cost of \$67.41 per metre squared.
  - v. Multiply the number determined under subparagraph iv by the supplementary elementary school area factor approved for the board by the Minister in accordance with subsections (2) and (3).
  - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 9.7 metres squared.
  - vii. Multiply the number determined under subparagraph vi by the benchmark operating cost of \$67.41 per metre squared.
  - viii. Multiply the number determined under subparagraph vii by the supplementary elementary school area factor approved for the board by the Minister in accordance with subsections (2) and (3).
  - ix. Multiply the number determined under subparagraph viii by 0.2.
  - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
  - xi. Take the lesser of the number determined under subparagraph ix and the number determined under subparagraph x to obtain the top-up amount for school operations for the elementary school. However, if the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top-up amount for school operations for the elementary school is zero.
17. Total the top-up amounts determined under paragraph 16 for each elementary school of the board.
18. Identify the elementary schools of the board that are distant elementary schools of the board within the meaning of subsection 29 (2.1) of the 2003-2004 grant regulation, but that are neither rural elementary schools nor outlying elementary schools.
19. For each elementary school identified under paragraph 18, subtract the amount determined under paragraph 15 of subsection 37 (3) of the 2003-2004 grant regulation from the amount determined under paragraph 16.1 of that subsection of that regulation. If the difference determined for a school is negative, the amount for that school is deemed to be zero.
20. Total the amounts determined under paragraph 19 for the elementary schools identified under paragraph 18.
21. Take the amount, if any, set out in Column 2 of Table 11 opposite the name of the board.
22. Total the amounts determined under paragraphs 20 and 21.

23. Identify the rural elementary schools of the board that are not outlying elementary schools of the board.
24. Total the amounts determined under subparagraph 16 x for the rural elementary schools of the board identified in paragraph 23. If the number determined for a school under subparagraph 16 i is zero, or if the number determined for the school under subparagraph 16 x is negative, the number determined for the school under subparagraph 16 x is deemed to be zero for the purposes of this paragraph.
25. Total the amounts determined under subparagraph 16 xi for the rural elementary schools of the board identified in paragraph 23.
26. Subtract the amount determined under paragraph 25 from the amount determined under paragraph 24.
27. Total the amounts determined under subparagraph 16 x for the outlying elementary schools of the board. If the number determined for a school under subparagraph 16 i is zero, or if the number determined for the school under subparagraph 16 x is negative, the number determined for the school under subparagraph 16 x is deemed to be zero for the purposes of this paragraph.
28. Total the amounts determined under subparagraph 16 xi for the outlying elementary schools of the board.
29. Subtract the amount determined under paragraph 28 from the amount determined under paragraph 27.
30. For each secondary school of the board, calculate a top-up amount for school operations as follows:
  - i. Determine the 2008-2009 enrolment.
  - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection 56 (32). However, the capacity of a school for which the number determined under subparagraph i is zero is deemed, for the purposes of this paragraph, to be zero.
  - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 12.07 metres squared.
  - iv. Multiply the number determined under subparagraph iii by the benchmark operating cost of \$67.41 per metre squared.
  - v. Multiply the number determined under subparagraph iv by the supplementary secondary school area factor approved for the board by the Minister in accordance with subsection (6).
  - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 12.07 metres squared.
  - vii. Multiply the number determined under subparagraph vi by the benchmark operating cost of \$67.41 per metre squared.
  - viii. Multiply the number determined under subparagraph vii by the supplementary secondary school area factor approved for the board by the Minister in accordance with subsection (6).
  - ix. Multiply the number determined under subparagraph viii by 0.2.
  - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
  - xi. Take the lesser of the number determined under subparagraph ix and the number determined under subparagraph x to obtain the top-up amount for school operations for the secondary school. However, if the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top-up amount for school operations for the secondary school is zero.
31. Total the top-up amounts for school operations determined under paragraph 30 for each secondary school of the board.
32. Identify the secondary schools of the board that are distant secondary schools of the board within the meaning of subsection 29 (2.6) of the 2003-2004 grant regulation, but that are neither rural secondary schools nor outlying secondary schools.
33. For each secondary school identified under paragraph 32, subtract the amount determined under paragraph 17 of subsection 37 (3) of the 2003-2004 grant regulation from the amount determined under paragraph 18.1 of that subsection of that regulation. If the difference determined for a school is negative, the amount for that school is deemed to be zero.
34. Total the amounts determined under paragraph 33 for the secondary schools identified under paragraph 32.
35. Take the amount, if any, set out in Column 3 of Table 11 opposite the name of the board.
36. Total the amounts determined under paragraphs 34 and 35.
37. Identify the rural secondary schools of the board that are not outlying secondary schools of the board.



38. Total the amounts determined under subparagraph 30 x for the rural secondary schools of the board identified in paragraph 37. If the number determined for a school under subparagraph 30 i is zero, or if the number determined for the school under subparagraph 30 x is negative, the number determined for the school under subparagraph 30 x is deemed to be zero for the purposes of this paragraph.
39. Total the amounts determined under subparagraph 30 xi for the rural secondary schools of the board identified in paragraph 37.
40. Subtract the amount determined under paragraph 39 from the amount determined under paragraph 38.
41. Total the amounts determined under subparagraph 30 x for the outlying secondary schools of the board. If the number determined for a school under subparagraph 30 i is zero, or if the number determined for the school under subparagraph 30 x is negative, the number determined for the school under subparagraph 30 x is deemed to be zero for the purposes of this paragraph.
42. Total the amounts determined under subparagraph 30 xi for the outlying secondary schools of the board.
43. Subtract the amount determined under paragraph 42 from the amount determined under paragraph 41.
44. Take the lesser of,
  - i. the amount for renewal software licensing fees set out in Column 2 of Table 12 opposite the name of the board, and
  - ii. the board's expenditure for renewal software licensing fees as reported to the Ministry in the board's annual financial statements for the school board fiscal year.
45. Total the amounts determined under paragraphs 15, 17, 22, 26, 29, 31, 36, 40, 43 and 44.

(2) For the purposes of paragraph 3 of subsection (1), the Minister shall approve a supplementary elementary school area factor for a board that the Minister considers appropriate in order to make allowance for any disproportionate space needs that are particular to the board and that are caused by,

- (a) the fact that the board is operating a school that can reasonably be considered to be too large for the community it serves, whether because of declining enrolment or for some other reason;
- (b) the fact that the board is operating a school in a building, the physical characteristics of which can reasonably be considered to be neither compatible with nor easily modified to conform to the benchmark area requirements referred to in subsection (1);
- (c) the fact that the board has disproportionately high space requirements because the board serves a disproportionately high number of pupils in special education programs or in other education programs with high space requirements; or
- (d) other circumstances approved by the Minister.

(3) In determining an amount for the purposes of subsection (2), the Minister shall have regard to the effect of the circumstances referred to in clauses (2) (a) to (d) on the board's space needs.

(4) Subject to subsection (5), subsections (2) and (3) apply with necessary modifications to require the Minister to approve a supplementary continuing education and other programs area factor for a board and, for that purpose, a reference to elementary school area is deemed to be a reference to continuing education and other programs area.

(5) The Minister shall not approve a factor for a board under subsection (4) that is greater than the factor approved for the board under subsection (6).

(6) Subsections (2) and (3) apply with necessary modifications to require the Minister to approve a supplementary secondary school area factor for a board and, for that purpose, a reference to elementary school area is deemed to be a reference to secondary school area.

#### **Amount for school renewal**

47. The amount for the board for the fiscal year for school renewal is determined as follows:

1. Take the percentage of the total elementary school area of the board that relates to buildings that are less than 20 years old, as set out in Column 2 of Table 14 opposite the name of the board.
2. Apply the percentage referred to in paragraph 1 to the benchmark renewal cost per metre squared of \$7.03.
3. Take the percentage of the total elementary school area of the board that relates to buildings that are 20 years old or older, as set out in Column 3 of Table 14 opposite the name of the board.
4. Apply the percentage referred to in paragraph 3 to the benchmark renewal cost per metre squared of \$10.54.
5. Add the amounts obtained under paragraphs 2 and 4, to obtain a weighted average benchmark elementary school renewal cost per metre squared.



6. Multiply the amount obtained under paragraph 5 by the adjusted elementary school area requirement for the board determined under paragraph 3 of subsection 46 (1).
7. Take the percentage of the total secondary school area of the board that relates to buildings that are less than 20 years old, set out in Column 4 of Table 14 opposite the name of the board.
8. Apply the percentage referred to in paragraph 7 to the benchmark renewal cost per metre squared of \$7.03.
9. Take the percentage of the total secondary school area of the board that relates to buildings that are 20 years old or older, as set out in Column 5 of Table 14 opposite the name of the board.
10. Apply the percentage referred to in paragraph 9 to the benchmark renewal cost per metre squared of \$10.54.
11. Add the amounts obtained under paragraphs 8 and 10, to obtain a weighted average benchmark secondary school renewal cost per metre squared.
12. Multiply the amount obtained under paragraph 11 by the adjusted secondary school area requirement for the board determined under paragraph 13 of subsection 46 (1).
13. Multiply the amount obtained under paragraph 11 by the adjusted continuing education and other programs area requirement for the board determined under paragraph 10 of subsection 46 (1).
14. For each elementary school of the board, calculate a top-up amount for school renewal as follows:
  - i. Determine the 2008-2009 enrolment.
  - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection 56 (31). However, the capacity of a school for which the number determined under subparagraph i is zero is deemed, for the purposes of this paragraph, to be zero.
  - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 9.7 metres squared.
  - iv. Multiply the number determined under subparagraph iii by the weighted average benchmark elementary school renewal cost per metre squared, as determined for the board under paragraph 5.
  - v. Multiply the number determined under subparagraph iv by the supplementary elementary school area factor approved for the board by the Minister in accordance with subsections 46 (2) and (3).
  - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 9.7 metres squared.
  - vii. Multiply the number determined under subparagraph vi by the weighted average benchmark elementary school renewal cost per metre squared, as determined for the board under paragraph 5.
  - viii. Multiply the number determined under subparagraph vii by the supplementary elementary school area factor approved for the board by the Minister in accordance with subsections 46 (2) and (3).
  - ix. Multiply the number determined under subparagraph viii by 0.2.
  - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
  - xi. Take the lesser of the number determined under subparagraph ix and the number determined under subparagraph x to obtain the top-up amount for school renewal for the elementary school. However, if the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top-up amount for school renewal for the elementary school is zero.
15. Total the top-up amounts for school renewal determined under paragraph 14 for each elementary school of the board.
16. Identify the elementary schools of the board that are distant elementary schools of the board within the meaning of subsection 29 (2.1) of the 2003-2004 grant regulation, but that are neither rural elementary schools nor outlying elementary schools.
17. For each elementary school identified under paragraph 16, subtract the amount determined under paragraph 14 of subsection 37 (9) of the 2003-2004 grant regulation from the amount determined under paragraph 14.1 of that subsection of that regulation. If the difference determined for a school is negative, the amount for that school is deemed to be zero.
18. Total the amounts determined under paragraph 17 for the elementary schools identified under paragraph 16.
19. Take the amount, if any, set out in Column 4 of Table 11 opposite the name of the board.
20. Total the amounts determined under paragraphs 18 and 19.
21. Identify the rural elementary schools of the board that are not outlying elementary schools of the board.

22. Total the amounts determined under subparagraph 14 x for the rural elementary schools of the board identified in paragraph 21. If the number determined for a school under subparagraph 14 i is zero, or if the number determined for the school under subparagraph 14 x is negative, the number determined for the school under subparagraph 14 x is deemed to be zero for the purposes of this paragraph.
23. Total the amounts determined under subparagraph 14 xi for the rural elementary schools of the board identified in paragraph 21.
24. Subtract the amount determined under paragraph 23 from the amount determined under paragraph 22.
25. Total the amounts determined under subparagraph 14 x for the outlying elementary schools of the board. If the number determined for a school under subparagraph 14 i is zero, or if the number determined for the school under subparagraph 14 x is negative, the number determined for the school under subparagraph 14 x is deemed to be zero for the purposes of this paragraph.
26. Total the amounts determined under subparagraph 14 xi for the outlying elementary schools of the board.
27. Subtract the amount determined under paragraph 26 from the amount determined under paragraph 25.
28. For each secondary school of the board, calculate a top-up amount for school renewal as follows:
  - i. Determine the 2008-2009 enrolment.
  - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection 56 (32). However, the capacity of a school for which the number determined under subparagraph i is zero is deemed, for the purposes of this paragraph, to be zero.
  - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 12.07 metres squared.
  - iv. Multiply the number determined under subparagraph iii by the weighted average benchmark secondary school renewal cost per metre squared, as determined for the board under paragraph 11.
  - v. Multiply the number determined under subparagraph iv by the supplementary secondary school area factor approved for the board by the Minister in accordance with subsection 46 (6).
  - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 12.07 metres squared.
  - vii. Multiply the number determined under subparagraph vi by the weighted average benchmark secondary school renewal cost per metre squared, as determined for the board under paragraph 11.
  - viii. Multiply the number determined under subparagraph vii by the supplementary secondary school area factor approved for the board by the Minister in accordance with subsection 46 (6).
  - ix. Multiply the number determined under subparagraph viii by 0.2.
  - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
  - xi. Take the lesser of the number determined under subparagraph ix and the number determined under subparagraph x to obtain the top-up amount for school renewal for the secondary school. However, if the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top-up amount for school renewal for the secondary school is zero.
29. Total the top-up amounts for school renewal determined under paragraph 28 for each secondary school of the board.
30. Identify the secondary schools of the board that are distant secondary schools of the board within the meaning of subsection 29 (2.6) of the 2003-2004 grant regulation, but that are neither rural secondary schools nor outlying secondary schools.
31. For each secondary school identified under paragraph 30, subtract the amount determined under paragraph 16 of subsection 37 (9) of the 2003-2004 grant regulation from the amount determined under paragraph 16.1 of that subsection of that regulation. If the difference determined for a school is negative, the amount for that school is deemed to be zero.
32. Total the amounts determined under paragraph 31 for the secondary schools identified under paragraph 30.
33. Take the amount, if any, set out in Column 5 of Table 11 opposite the name of the board.
34. Total the amounts determined under paragraphs 32 and 33.
35. Identify the rural secondary schools of the board that are not outlying secondary schools of the board.
36. Total the amounts determined under subparagraph 28 x for the rural secondary schools of the board identified in paragraph 35. If the number determined for a school under subparagraph 28 i is zero, or if the number determined for the school under subparagraph 28 x is negative, the number determined for the school under subparagraph 28 x is deemed to be zero for the purposes of this paragraph.



37. Total the amounts determined under subparagraph 28 xi for the rural secondary schools of the board identified in paragraph 35.
38. Subtract the amount determined under paragraph 37 from the amount determined under paragraph 36.
39. Total the amounts determined under subparagraph 28 x for the outlying secondary schools of the board. If the number determined for a school under subparagraph 28 i is zero, or if the number determined for the school under subparagraph 28 x is negative, the number determined for the school under subparagraph 28 x is deemed to be zero for the purposes of this paragraph.
40. Total the amounts determined under subparagraph 28 xi for the outlying secondary schools of the board.
41. Subtract the amount determined under paragraph 40 from the amount determined under paragraph 39.
42. Take the amount for school renewal enhancement set out opposite the name of the board in Table 15.
43. Total the amounts determined under paragraphs 6, 12, 13, 15, 24, 27, 29, 38, 41 and 42.
44. Multiply the sum determined under paragraph 43 by the geographic adjustment factor specified for the board in Column 3 of Table 16.
45. Total the amounts determined under paragraphs 20, 34 and 44.

**Amount for urgent and high priority renewal projects**

48. (1) The amount for the board for the fiscal year for urgent and high priority renewal projects is determined as follows:
  1. For the urgent and high priority renewal projects described in subsection (2), determine the portion of the cost of the projects set out in Column 2 of Table 17 opposite the name of the board that was incurred by the board in each of the 2004-2005, 2005-2006, 2006-2007, 2007-2008 and 2008-2009 school board fiscal years for construction or renovation work that began on or after March 18, 2005.
  2. Total the portions determined under paragraph 1 for the five fiscal years.
  3. For the urgent and high priority renewal projects described in subsection (3), determine the portion of the cost of the projects set out in Column 3 of Table 17 opposite the name of the board that was incurred by the board in each of the 2005-2006, 2006-2007, 2007-2008 and 2008-2009 school board fiscal years for construction or renovation work that began on or after January 1, 2006.
  4. Total the portions determined under paragraph 3 for the four fiscal years.
  5. For the urgent and high priority renewal projects described in subsection (4), determine the portion of the cost of the projects set out in Column 4 of Table 17 opposite the name of the board that was incurred by the board in each of the 2006-2007, 2007-2008 and 2008-2009 school board fiscal years for construction or renovation work that began on or after January 1, 2007.
  6. Total the portions determined under paragraph 5 for the three fiscal years.
  7. Add the amounts determined under paragraphs 2, 4 and 6.
  8. Determine the portion of the amount determined under paragraph 7 in respect of which the board incurred short-term interest.
  9. Take the lesser of,
    - i. the amount of short-term interest incurred by the board in the 2008-2009 fiscal year in respect of the amount determined under paragraph 8, and
    - ii. the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 8 if each amount borrowed had been subject to an annual interest rate of not more than 0.20 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
  10. Determine the portion of the amount determined under paragraph 7 in respect of which the board did not incur interest.
  11. Determine the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion referred to in paragraph 10 if each amount making up the portion had been borrowed on the date that it was withdrawn from reserves of the board, at the annual interest rate for three-month bankers' acceptances applicable on September 2, 2008.
  12. Determine the total of principal and interest payments incurred by the board in the 2008-2009 fiscal year in respect of funds that the board borrowed from the Ontario Financing Authority to pay the costs or a portion of the costs determined under paragraph 7.
  13. Add the amounts, if any, determined under paragraphs 9, 11 and 12.



- (2) For the purposes of paragraph 1 of subsection (1), an urgent and high priority renewal project is a project that,
  - (a) is at a school of the board listed in Appendix B of the document entitled "Good Places to Learn: Stage 1 Funding Allocation", which is available as described in subsection 3 (6); and
  - (b) has been approved by the Minister, as indicated in the document mentioned in clause (a), on the basis that the project addresses an urgent and high priority renewal need at the school.
- (3) For the purposes of paragraph 3 of subsection (1), an urgent and high priority renewal project is a project that,
  - (a) is at a school of the board listed in Appendix C of the document entitled "Good Places to Learn: Stage 2 Funding Allocation", which is available as described in subsection 3 (6); and
  - (b) has been approved by the Minister, as indicated in the document mentioned in clause (a), on the basis that the project addresses an urgent and high priority renewal need at the school.
- (4) For the purposes of paragraph 5 of subsection (1), an urgent and high priority renewal project is a project that,
  - (a) is at a school of the board listed in Appendix B of the document entitled "Good Places to Learn: Stage 3 Funding Allocation", which is available as described in subsection 3 (6); and
  - (b) has been approved by the Minister, as indicated in the document mentioned in clause (a), on the basis that the project addresses an urgent and high priority renewal need at the school.

#### Amount for new pupil places

49. (1) The amount for the board for the fiscal year for new pupil places is determined as follows:
1. Determine the number of new elementary pupil places that the board reports, by August 31, 2005, were constructed by September 30, 2003 and financed in whole or in part with amounts calculated for the board under a predecessor of this subsection. For the purpose, a new pupil place shall be determined by the board in accordance with the Instruction Guide, which is available as described in subsection 3 (1).
  2. Determine the number of new elementary pupil places that have been constructed by September 30, 2008, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
  3. Determine the number of new elementary pupil places that have been constructed by March 31, 2009, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
  4. Determine the construction costs that are reported by August 31, 2009, for projects that make permanent additions to elementary schools with respect to instructional spaces to which a loading of zero applies, as determined under subsection 56 (6), where,
    - i. construction of the project is completed by September 30, 2008,
    - ii. the project is under construction on that date, or
    - iii. the board has awarded a tender for construction of the project on or before that date.
  5. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 4 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
  6. Determine the construction costs that are reported by August 31, 2009, for projects that make permanent additions to elementary schools with respect to instructional spaces to which a loading of zero applies, as determined under subsection 56 (6), where,
    - i. construction of the project is completed by March 31, 2009,
    - ii. the project is under construction on that date, or
    - iii. the board has awarded a tender for construction of the project on or before that date.
  7. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 6 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
  8. Determine the leasing costs for new elementary pupil places paid in the 2008-2009 fiscal year and reported by August 31, 2009.
  9. Determine the costs for temporary accommodation of new elementary pupil places that are incurred in the 2005-2006, 2006-2007, 2007-2008 and 2008-2009 fiscal years and reported by August 31, 2009, where the accommodation costs do not include amounts determined under paragraph 8 or under a predecessor of that paragraph for a prior school board fiscal year.
  10. Subtract the amount determined in respect of the board under paragraph 9 of subsection 36 (10) of the 2005-2006 grant regulation from the amount determined under paragraph 9.

11. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 10 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
12. Total the amounts determined under paragraphs 8 and 11.
13. Multiply the number determined under paragraph 1 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.
14. Multiply the product determined under paragraph 13 by the pre-September, 2004, benchmark construction cost of \$118.40 per metre squared.
15. Multiply the amount determined under paragraph 14 by the geographic adjustment factor set out in Column 2 of Table 16 opposite the name of the board.
16. Subtract the number determined under paragraph 1 from the number determined under paragraph 2.
17. Multiply the number determined under paragraph 16 by the benchmark area requirement per pupil of 9.7 metres squared.
18. Multiply the product determined under paragraph 17 by the benchmark construction cost of \$120.77 per metre squared.
19. Multiply the amount determined under paragraph 18 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
20. Subtract the number determined under paragraph 2 from the number determined under paragraph 3.
21. Multiply the number determined under paragraph 20 by the benchmark area requirement per pupil of 9.7 metres squared.
22. Multiply the product determined under paragraph 21 by the benchmark construction cost of \$120.77 per metre squared.
23. Multiply the amount determined under paragraph 22 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
24. Subtract the amount determined under paragraph 5 from the amount determined under paragraph 7.
25. Total the amounts determined under paragraphs 23 and 24.
26. Multiply the amount determined under paragraph 25 by 0.37.
27. Total the amounts determined under paragraphs 5, 12, 15, 19 and 26.
28. For each elementary facility of the board that was also an elementary facility in the 2005-2006 fiscal year, apply the loadings determined under subsection 37 (16) of the 2004-2005 grant regulation to the instructional spaces of the facility, as categorized under that subsection.
29. Total the numbers determined under paragraph 28 for the elementary facilities of the board.
30. Total the numbers, if any, determined in respect of the board under the following provisions:
  - i. Subsection 56 (8), if it applies as described in subsection 56 (7).
  - ii. Subsection 56 (19), if it applies as described in subsection 56 (18).
  - iii. Subsection 56 (22), if it applies as described in subsection 56 (21).
  - iv. Subsection 51 (8) of the 2007-2008 grant regulation.
  - v. Subsection 51 (19) of the 2007-2008 grant regulation.
  - vi. Subsection 51 (22) of the 2007-2008 grant regulation.
  - vii. Subsection 39 (24) of the 2006-2007 grant regulation.
  - viii. Subsection 39 (35) of the 2006-2007 grant regulation.
  - ix. Subsection 39 (38) of the 2006-2007 grant regulation.
  - x. Subsection 36 (18) of the 2005-2006 grant regulation.
  - xi. Subsection 36 (29) of the 2005-2006 grant regulation.
  - xii. Subsection 36 (32) of the 2005-2006 grant regulation.
31. Subtract the number determined under paragraph 30 from the number determined under paragraph 29.



32. Add to the number determined under paragraph 31 the sum of the numbers, if any, determined in respect of the board under the following provisions:
  - i. Subsection 56 (1).
  - ii. Subsection 56 (11), if it applies as described in subsection 56 (10).
  - iii. Subsection 56 (16), if it applies as described in subsection 56 (14).
  - iv. Subsection 56 (24).
  - v. Subsection 56 (28), if it applies as described in subsection 56 (27).
  - vi. Subsection 51 (1) of the 2007-2008 grant regulation.
  - vii. Subsection 51 (11) of the 2007-2008 grant regulation.
  - viii. Subsection 51 (16) of the 2007-2008 grant regulation.
  - ix. Subsection 51 (24) of the 2007-2008 grant regulation.
  - x. Subsection 51 (28) of the 2007-2008 grant regulation.
  - xi. Subsection 39 (17) of the 2006-2007 grant regulation.
  - xii. Subsection 39 (27) of the 2006-2007 grant regulation.
  - xiii. Subsection 39 (32) of the 2006-2007 grant regulation.
  - xiv. Subsection 39 (40) of the 2006-2007 grant regulation.
  - xv. Subsection 39 (45) of the 2006-2007 grant regulation.
  - xvi. Subsection 36 (11) of the 2005-2006 grant regulation.
  - xvii. Subsection 36 (21) of the 2005-2006 grant regulation.
  - xviii. Subsection 36 (26) of the 2005-2006 grant regulation.
  - xix. Subsection 36 (34) of the 2005-2006 grant regulation.
  - xx. Subsection 36 (39) of the 2005-2006 grant regulation.
33. Subtract the number determined under paragraph 32 from the 2008-2009 day school average daily enrolment of elementary school pupils of the board. If the difference is negative, the number determined under this paragraph is deemed to be zero.
34. Add to the number determined under paragraph 33 the sum of the numbers, if any, each of which is the number of the board's new pupil places to meet elementary enrolment pressures as calculated for a prior school board fiscal year.
35. Add to the number determined under paragraph 34 the sum of the numbers, if any, of new elementary pupil places that are needed for the purpose of accounting for the capital transitional adjustment as calculated for a prior school board fiscal year in respect of the pupil places set out in Column 4 of Table 20 in the municipalities set out in Column 2 opposite the name of the board.
36. Add to the number determined under paragraph 35 the number, if any, of new elementary pupil places that are needed for the 2005 capital policy adjustment, set out in Column 2 of Table 18 opposite the name of the board.
37. Subtract the number determined in respect of the board under paragraph 2 of subsection 37 (10) of the 2003-2004 grant regulation from the number determined in respect of the board under paragraph 3.2 of that subsection of that regulation. If the difference is negative, the number determined under this paragraph is deemed to be zero.
38. Total the numbers determined under paragraphs 36 and 37.
39. Add to the number determined under paragraph 38 the number, if any, of the board's new pupil places in respect of its elementary schools for which the cost of repair is prohibitive as calculated for a prior school board fiscal year, named in Column 3 of Table 22 opposite the name of the board in Column 1 of the Table.
40. If the number determined under paragraph 33 is zero, add to the number determined under paragraph 39 the number, if any, of the board's new pupil places to meet elementary enrolment pressures as determined under subsection 56 (1).
41. Take the lesser of the numbers determined under,
  - i. paragraph 1, and
  - ii. paragraph 39 or 40, as the case may be.
42. Subtract the number determined under paragraph 41 from the number determined under paragraph 39 or 40, as the case may be.



43. Multiply the number determined under paragraph 41 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.
44. Multiply the product determined under paragraph 43 by the pre-September, 2004, benchmark construction cost of \$118.40 per metre squared.
45. Multiply the amount determined under paragraph 44 by the geographic adjustment factor set out in Column 2 of Table 16 opposite the name of the board.
46. Multiply the number determined under paragraph 42 by the benchmark area requirement per pupil of 9.7 metres squared.
47. Multiply the product determined under paragraph 46 by the benchmark construction cost of \$120.77 per metre squared.
48. Multiply the amount determined under paragraph 47 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
49. Total the amounts determined under paragraphs 45 and 48.
50. Determine the number of new secondary pupil places that the board reports, by August 31, 2005, were constructed by September 30, 2003 and financed in whole or in part with amounts calculated for the board under a predecessor of this subsection. For the purpose, a new pupil place shall be determined by the board in accordance with the Instruction Guide, which is available as described in subsection 3 (1).
51. Determine the number of new secondary pupil places that have been constructed by September 30, 2008, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
52. Determine the number of new secondary pupil places that have been constructed by March 31, 2009, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
53. Determine the construction costs that are reported by August 31, 2009, for projects that make permanent additions to secondary schools with respect to instructional spaces to which a loading of zero applies, as determined under subsection 56 (6), where,
  - i. construction of the project is completed by September 30, 2008,
  - ii. the project is under construction on that date, or
  - iii. the board has awarded a tender for construction of the project on or before that date.
54. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 53 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
55. Determine the construction costs that are reported by August 31, 2009, for projects that make permanent additions to secondary schools with respect to instructional spaces to which a loading of zero applies, as determined under subsection 56 (6), where,
  - i. construction of the project is completed by March 31, 2009,
  - ii. the project is under construction on that date, or
  - iii. the board has awarded a tender for construction of the project on or before that date.
56. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 55 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
57. Determine the leasing costs for new secondary pupil places paid in the 2008-2009 fiscal year and reported by August 31, 2009.
58. Determine the costs for temporary accommodation of new secondary pupil places that have been incurred in the 2005-2006, 2006-2007, 2007-2008 and 2008-2009 fiscal years and reported by August 31, 2009, where the accommodation costs do not include amounts determined under paragraph 57 or under a predecessor of that paragraph for a prior school board fiscal year.
59. Subtract the amount determined in respect of the board under paragraph 57 of subsection 36 (10) of the 2005-2006 grant regulation from the amount determined under paragraph 58.
60. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 59 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
61. Total the amounts determined under paragraphs 57 and 60.
62. Multiply the number determined under paragraph 50 by the benchmark area requirement per pupil of 12.07 metres squared.

63. Multiply the product determined under paragraph 62 by the pre-September, 2004, benchmark construction cost of \$129.17 per metre squared.
64. Multiply the amount determined under paragraph 63 by the geographic adjustment factor set out in Column 2 of Table 16 opposite the name of the board.
65. Subtract the number determined under paragraph 50 from the number determined under paragraph 51.
66. Multiply the number determined under paragraph 65 by the benchmark area requirement per pupil of 12.07 metres squared.
67. Multiply the product determined under paragraph 66 by the benchmark construction cost of \$131.75 per metre squared.
68. Multiply the amount determined under paragraph 67 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
69. Subtract the number determined under paragraph 51 from the number determined under paragraph 52.
70. Multiply the number determined under paragraph 69 by the benchmark area requirement per pupil of 12.07 metres squared.
71. Multiply the product determined under paragraph 70 by the benchmark construction cost of \$131.75 per metre squared.
72. Multiply the amount determined under paragraph 71 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
73. Subtract the amount determined under paragraph 54 from the amount determined under paragraph 56.
74. Total the amounts determined under paragraphs 72 and 73.
75. Multiply the amount determined under paragraph 74 by 0.37.
76. Total the amounts determined under paragraphs 54, 61, 64, 68 and 75.
77. Determine the 2008-2009 day school average daily enrolment of secondary school pupils of the board.
78. Subtract the secondary capacity for the board as determined under subsection 56 (5) from the number determined under paragraph 77. If the difference is negative, the number determined under this paragraph is deemed to be zero.
79. Add to the number determined under paragraph 78 the sum of the numbers, if any, each of which is the number of the board's new pupil places to meet secondary enrolment pressures as calculated for a prior school board fiscal year.
80. Add to the number determined under paragraph 79 the sum of the numbers, if any, of new secondary pupil places that are needed for the purpose of accounting for the capital transitional adjustment as calculated for a prior school board fiscal year in respect of the pupil places set out in Column 5 of Table 20 in the municipalities set out in Column 2 opposite the name of the board.
81. Add to the number determined under paragraph 80 the number, if any, of new secondary pupil places that are needed for the 2005 capital policy adjustment, set out in Column 3 of Table 18 opposite the name of the board.
82. Subtract the number determined in respect of the board under paragraph 17 of subsection 37 (10) of the 2003-2004 grant regulation from the number determined in respect of the board under paragraph 18.2 of that subsection of that regulation. If the difference is negative, the number determined under this paragraph is deemed to be zero.
83. Total the numbers determined under paragraphs 81 and 82.
84. Add to the number determined under paragraph 83 the number, if any, of the board's new pupil places in respect of its secondary schools for which the cost of repair is prohibitive as calculated for a prior school board fiscal year, named in Column 4 of Table 22 opposite the name of the board in Column 1 of the Table.
85. If the number determined under paragraph 78 is zero, add to the number determined under paragraph 84 the number, if any, of the board's new pupil places to meet secondary enrolment pressures as determined under subsection 56 (3).
86. Take the lesser of the numbers determined under,
  - i. paragraph 50, and
  - ii. paragraph 84 or 85, as the case may be.
87. Subtract the number determined under paragraph 86 from the number determined under paragraph 84 or 85, as the case may be.
88. Multiply the number determined under paragraph 86 by the benchmark area requirement per pupil of 12.07 metres squared.



89. Multiply the product determined under paragraph 88 by the pre-September, 2004, benchmark construction cost of \$129.17 per metre squared.
90. Multiply the amount determined under paragraph 89 by the geographic adjustment factor set out in Column 2 of Table 16 opposite the name of the board.
91. Multiply the number determined under paragraph 87 by the benchmark area requirement per pupil of 12.07 metres squared.
92. Multiply the product determined under paragraph 91 by the benchmark construction cost of \$131.75 per metre squared.
93. Multiply the amount determined under paragraph 92 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
94. Total the amounts determined under paragraphs 90 and 93.
95. Total the amounts determined under paragraphs 27 and 76.
96. Total the amounts determined under paragraphs 49 and 94.
97. Add to the amount determined under paragraph 96 the amount, if any, calculated in respect of the board under paragraph 35 of subsection 37 (10) of the 2004-2005 grant regulation.
98. Take the lesser of the amounts determined under paragraphs 95 and 97.
99. Determine the portion of each capital project of the board that was wholly or partially funded with amounts calculated under this subsection or a predecessor of this subsection for a prior school board fiscal year, where capital projects are projects for purposes established under section 1 of Ontario Regulation 446/98 (Reserve Funds) made under the Act and includes projects that have been constructed by August 31, 2009, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
100. For each capital project described in paragraph 99, determine the debt incurred between August 31, 1998 and August 31, 2009, in respect of the portion of the project determined under paragraph 99, where debt does not include,
  - i. debt incurred to finance the construction of new elementary pupil places needed for primary class size reduction under subsection 50 (1) or under a predecessor of that subsection for a prior school board fiscal year,
  - ii. debt incurred to finance the construction of new elementary pupil places or new secondary pupil places described in the plan submitted under subsection 51 (3) or under a predecessor of that subsection for a prior school board fiscal year, in relation to the growth schools amount,
  - iii. debt related to the amounts determined under sections 52, 53, 54 and 55, or
  - iv. non-permanently financed debt or permanently financed debt, within the meaning of subsection 57 (2).
101. Total the amounts determined under paragraph 100 for the capital projects described in paragraph 99.
102. Determine the debt service costs incurred in the 2008-2009 fiscal year in respect of the amount determined under paragraph 101.
103. For each multi-year lease entered into wholly or partly for the purpose of providing instructional space, other than for providing new pupil places needed for the primary class size reduction, determine the amount payable in the 2008-2009 fiscal year in relation to the provision of instructional space.
104. Total the amounts determined under paragraph 103 for all the multi-year leases described in that paragraph.
105. Total the amounts determined under paragraphs 102 and 104.
106. Subtract the amount determined under paragraph 98 from the amount determined under paragraph 97. If the difference is negative, the number determined under this paragraph is deemed to be zero.
107. Subtract the amount determined under paragraph 98 from the amount determined under paragraph 105. If the difference is negative, the number determined under this paragraph is deemed to be zero.
108. Take the lesser of the amounts determined under paragraphs 106 and 107.
109. Total the amounts determined under paragraphs 98 and 108.
110. Determine the portion of each capital project of the board that was wholly or partially funded with amounts calculated under this subsection or a predecessor of this subsection for a prior school board fiscal year, where capital projects are projects for purposes established under subsection 1 (2) of Ontario Regulation 446/98 and includes projects that have been constructed by August 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.



111. For each capital project described in paragraph 110, determine the debt incurred between August 31, 1998 and August 31, 2009, in respect of the portion of the project determined under paragraph 110, where debt does not include,
  - i. debt incurred to finance the construction of new elementary pupil places needed for primary class size reduction under subsection 50 (1) or under a predecessor of that subsection for a prior school board fiscal year,
  - ii. debt incurred to finance the construction of new elementary pupil places or new secondary pupil places described in the plan submitted under subsection 51 (3), or under a predecessor of that subsection for a prior school board fiscal year, in relation to the growth schools amount,
  - iii. debt related to the amounts determined under sections 52, 53, 54 and 55, or
  - iv. non-permanently financed debt or permanently financed debt, within the meaning of subsection 57 (2).
112. Total the amounts determined under paragraph 111 for the capital projects described in paragraph 110.
113. Determine the debt service costs incurred in the 2008-2009 fiscal year in respect of the amount determined under paragraph 112.
114. Determine the debt service costs incurred in the 2008-2009 fiscal year in respect of the amount determined under subsection (4).
115. For each multi-year lease entered into on or before August 31, 2006 wholly or partly for the purpose of providing instructional space, other than for providing new pupil places needed for the primary class size reduction, determine the amount payable in the 2008-2009 fiscal year in relation to the provision of instructional space.
116. Total the amounts determined under paragraph 115 for all the multi-year leases described in that paragraph.
117. Total the amounts determined under paragraphs 114 and 116.
118. Take the lesser of the amount determined under paragraph 117 and the amount determined in respect of the board under paragraph 110 of subsection 39 (11) of the 2006-2007 grant regulation.
119. Total the amounts determined under paragraph 113 and the amounts determined under paragraph 118.
120. Determine an amount for the board in accordance with subsection (2).
121. Subtract the amount determined under paragraph 120 from the amount determined under paragraph 119. If the difference is negative, the amount determined under this paragraph is deemed to be zero.
122. If the amount determined under paragraph 121 is less than or equal to the amount determined under paragraph 97, the amount determined under this paragraph is deemed to be zero. If the amount determined under paragraph 121 is greater than the amount determined under paragraph 97, calculate an amount as follows:
  - i. Determine the number of the board's new pupil places to meet elementary enrolment pressures, as determined under subsection 56 (1) or a predecessor of that subsection, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
  - ii. Determine the number of the board's new elementary pupil places that are needed for the 2005 capital policy adjustment, as set out in Column 2 of Table 18 opposite the name of the board, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
  - iii. Total the numbers determined under subparagraphs i and ii.
  - iv. Multiply the number determined under subparagraph iii by the benchmark area requirement per pupil of 9.7 metres squared.
  - v. Multiply the number determined under subparagraph iv by the benchmark construction cost of \$120.77 per metre squared.
  - vi. Multiply the amount determined under subparagraph v by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
  - vii. Determine the number of the board's new pupil places to meet secondary enrolment pressures, as determined under subsection 56 (3) or a predecessor of that subsection, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.
  - viii. Determine the number of the board's new secondary pupil places that are needed for the 2005 capital policy adjustment, as set out in Column 3 of Table 18 opposite the name of the board, that are to be provided in projects other than those that have been constructed by March 31, 2006, that are under construction on that date or for which the board has awarded a tender for construction on or before that date.

- ix. Total the numbers determined under subparagraphs vii and viii.
- x. Multiply the number determined under subparagraph ix by the benchmark area requirement per pupil of 12.07 metres squared.
- xi. Multiply the number determined under subparagraph x by the benchmark construction cost of \$131.75 per metre squared.
- xii. Multiply the amount determined under subparagraph xi by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
- xiii. Total the amounts determined under subparagraphs vi and xii.
- 123. Subtract the amount determined under paragraph 122 from the amount determined under paragraph 97.
- 124. Subtract the amount determined under paragraph 123 from the amount determined under paragraph 121. If the difference is negative, the amount determined under this paragraph is deemed to be zero.
- 125. Subtract the amount determined under paragraph 117 of subsection 44 (1) of the 2007-2008 grant regulation from the amount determined under paragraph 116 of that subsection.
- 126. Take the lesser of the amounts determined under paragraphs 124 and 125.
- 127. Subtract the amount determined under paragraph 126 from the amount determined under paragraph 124. If the difference is negative, the amount determined under this paragraph is deemed to be zero.
- 128. Add the amount determined under paragraph 109 to the amount determined under paragraph 127.
- (2) The amount referred to in paragraph 120 of subsection (1) is determined as follows:
  - 1. Take the lesser of,
    - i. the amount determined under paragraph 110.6 of subsection 44 (1) of the 2007-2008 grant regulation, and
    - ii. the amount determined under paragraph 111 of that subsection.
  - 2. Subtract the amount determined under paragraph 1 from the amount determined under paragraph 111 of subsection 44 (1) of the 2007-2008 grant regulation.
  - 3. Determine an amount calculated using the formula,

$$A + (B - C) \times 0.5$$

in which,

“A” is the greater of,

- i. zero, and
- ii. the amount determined under paragraph 2,

“B” is the total of all transfers of \$100,000 or more made in the fiscal year to the board’s proceeds of disposition reserve fund or to its reserve fund for the proceeds of disposition of schools that are prohibitive to repair, and

“C” is the amount of transfers from the board’s proceeds of disposition reserve fund or from its reserve fund for the proceeds of disposition of schools that are prohibitive to repair that are authorized by resolutions of the board passed in the 2008-2009 fiscal year for the purpose of acquiring, before August 31, 2010, in fee simple, a proposed school site in respect of which the conditions set out in subsection (3) are met.

(3) The following are conditions for the calculation of “C” in subsection (2) and for the payment of the amount for new pupil places to a district school board:

- 1. The board submits a plan for the proposed school site by March 31, 2009 containing the board’s evaluation that,
  - i. every pupil place that will be provided on the proposed school site will be provided in a facility on the site that will provide adequate accommodation for pupils of the board in each of the first ten school board fiscal years that the board operates a school on the site after acquiring it in fee simple,
  - ii. for each elementary pupil place to be provided in a facility on the proposed school site, there is another elementary pupil place of the board located,
    - A. within 8 kilometres of the proposed school site, and
    - B. on a school site that was leased continuously by the board since any date before January 1, 1999 until the date that the board acquires the fee simple for the proposed school site,
  - iii. for each secondary pupil place to be provided in a facility on the proposed school site, there is another secondary pupil place of the board located,



- A. within 32 kilometres of the proposed school site, and
- B. on a school site that was leased continuously by the board since any date before January 1, 1999 until the date that the board acquires the fee simple for the proposed school site, and
- iv. over the first ten school board fiscal years in which the board operates a school on the proposed school site after acquiring it in fee simple, an average of 80 per cent or more of the pupil places that are provided in the facility on the proposed school site will be needed for accommodation of pupils of the board.
- 2. The Minister approves the plan on the basis that it contains all the information described in paragraph 1 and that it is reasonable.
- (4) The amount referred to in paragraph 114 of subsection (1) is determined as follows:
  - 1. Determine the debt, if any, incurred during the 2006-2007, 2007-2008 and 2008-2009 fiscal years to acquire a school site in fee simple that provides pupil places that, immediately before the acquisition, were financed by leases described in paragraph 100.1 of subsection 39 (11) of the 2006-2007 grant regulation and entered into before August 31, 2006.
  - 2. Determine the debt, if any, incurred during the 2006-2007, 2007-2008 and 2008-2009 fiscal years to acquire a school site in fee simple that will provide pupil places to replace other pupil places, where, immediately before the acquisition, the pupil places being replaced were financed by leases described in paragraph 100.1 of subsection 39 (11) of the 2006-2007 grant regulation and entered into before August 31, 2006.
  - 3. Total the amounts determined under paragraphs 1 and 2.
- (5) For purposes of paragraph 2 of subsection (4), a pupil place replaces another pupil place if,
  - (a) in the case of an elementary school pupil place, it is located within 8 kilometres of the school site that provided the other elementary school pupil place; or
  - (b) in the case of a secondary school pupil place, it is located within 32 kilometres of the school site that provided the other secondary school pupil place.

**Amount for primary class size reduction**

**50.** (1) The amount for the board for the fiscal year for new pupil places needed for primary class size reduction, as described in subsection (2), is determined as follows:

- 1. Total the amounts determined under paragraphs 5 to 9 of subsection 45 (1) of the 2007-2008 grant regulation.
- 2. Subtract the amount determined under paragraph 1 from the amount determined under paragraph 2 of subsection 45 (1) of the 2007-2008 grant regulation. If the difference is a negative number, it is deemed to be zero.
- 3. For each multi-year lease entered into in the 2008-2009 fiscal year for the purpose of providing new pupil places needed for primary class size reduction, determine the total amount payable over the entire term of the lease.
- 4. Total the amounts determined under paragraph 3 for all the multi-year leases described in that paragraph.
- 5. Take the lesser of the amounts determined under paragraphs 2 and 4.
- 6. Determine the costs for relocating and installing temporary accommodations that provide new pupil places needed for primary class size reduction, if the costs are incurred by the board in the 2008-2009 fiscal year and reported by August 31, 2009, not including the amount determined under paragraph 4 or amounts associated with the initial installation of any temporary accommodations on school premises.
- 7. Determine the costs for temporary accommodations that provide new pupil places needed for primary class size reduction, if the costs are incurred by the board in the 2008-2009 fiscal year and reported by August 31, 2009, not including amounts determined under paragraphs 4 and 6.
- 8. Determine the construction costs for program retrofits, described in subsection (3), that provide new pupil places needed for primary class size reduction, if the costs are incurred by the board in the 2008-2009 fiscal year and reported by August 31, 2009.
- 9. Determine the construction costs incurred by the board in the 2008-2009 fiscal year and reported by August 31, 2009 in respect of new pupil places needed for primary class size reduction, not including the amount determined under paragraph 8.
- 10. Total the amounts determined under paragraphs 7, 8 and 9.
- 11. Subtract the total of the amounts determined under paragraphs 5 and 6 from the amount determined under paragraph 2. If the difference is negative, it is deemed to be zero.
- 12. Take the lesser of paragraphs 10 and 11.
- 13. Add the amount determined under paragraph 12 to the amount determined under paragraph 13 of section 45 (1) of the 2007-2008 grant regulation.



14. Subtract the amount determined under paragraph 21 of subsection 39 (12) of the 2006-2007 grant regulation from the amount determined under paragraph 13.
  15. Determine the amount of principal and interest incurred by the board in the 2008-2009 fiscal year in connection with the financing of the amount determined under paragraph 14, as follows:
    - i. Determine the portion of the amount determined under paragraph 14 in respect of which the board incurred short-term interest in the 2008-2009 fiscal year.
    - ii. Take the lesser of,
      - A. the amount of short-term interest incurred by the board in the 2008-2009 fiscal year in respect of the portion determined in subparagraph i, and
      - B. the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under subparagraph i if each amount borrowed had been subject to an annual interest rate of not more than 0.20 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
    - iii. Determine the portion of the amount determined under paragraph 14 in respect of which the board did not incur interest in the 2008-2009 fiscal year.
    - iv. Determine the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under subparagraph iii if each amount making up the portion had been borrowed on the date that it was withdrawn from reserves of the board, at the annual interest rate for three-month bankers' acceptances applicable on September 2, 2008.
    - v. Determine the total of the principal and interest payments incurred by the board in the 2008-2009 fiscal year in respect of funds that the board borrowed from the Ontario Financing Authority to pay the amount determined under paragraph 14.
    - vi. Total the amounts, if any, determined under subparagraphs ii, iv and v.
  16. Determine the amount that is payable in the 2008-2009 fiscal year in respect of the amount determined under paragraph 21 of subsection 39 (12) of the 2006-2007 grant regulation if that amount is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
  17. Determine the leasing costs for new pupil places needed for primary class size reduction paid in the 2008-2009 fiscal year and reported by August 31, 2009.
  18. Add the amount determined under paragraph 5 to the amount determined under paragraph 19 of subsection 45 (1) of the 2007-2008 grant regulation.
  19. Subtract the amount determined under paragraph 20 of subsection 45 (1) of the 2007-2008 grant regulation from the amount determined under paragraph 18. If the difference is negative, it is deemed to be zero.
  20. Take the lesser of the amounts determined under paragraphs 17 and 19.
  21. Subtract the amount determined under paragraph 5 from the amount determined under paragraph 2. If the difference is negative, it is deemed to be zero.
  22. Take the lesser of the amounts determined under paragraphs 6 and 21.
  23. Total the amounts determined under paragraphs 15, 16, 20 and 22.
- (2) For the purposes of subsection (1), new pupil places are needed for primary class size reduction if they are needed for the sole purpose of addressing the reduction in primary class size resulting from the change in the loadings determined under subsection 37 (16) of the 2004-2005 grant regulation and the loadings determined under subsection 36 (16) of the 2005-2006 grant regulation.
- (3) For the purposes of subsection (1), a program retrofit is a construction project in a school that alters instructional space so that,
- (a) it has a higher loading under paragraph 2 of subsection 56 (6) after the alteration than it did before, without enlarging the exterior dimensions of the school; or
  - (b) it has a lower loading under paragraph 2 of subsection 56 (6) after the alteration than it did before, and the lower loading is solely because of the conversion of instructional space to instructional space categorized as classrooms for kindergarten or junior kindergarten pupils from instructional space in other categories.

#### Amount for growth schools

51. (1) The amount for the board for the fiscal year for growth schools is determined as follows:

1. Determine the total of the costs incurred by the board before August 31, 2009 on the construction of new elementary pupil places and new secondary pupil places specified in the plans submitted under,
    - i. subsection 39 (15) of the 2006-2007 grant regulation,
    - ii. subsection 46 (3) of the 2007-2008 grant regulation, and
    - iii. subsection (3).
  2. Take the lesser of,
    - i. the amount determined under paragraph 1, and
    - ii. the total of,
      - A. the amount determined under subsection 39 (14.1) of the 2006-2007 grant regulation,
      - B. the amount determined under subsection 46 (2) of the 2007-2008 grant regulation, and
      - C. the amount determined under subsection (2).
  3. Take the lesser of the amount determined under paragraph 2 and the amount set out in Column 2 of Table 19 opposite the name of the board.
  4. Determine the portion of the amount determined under paragraph 3 in respect of which the board incurred short-term interest in the 2008-2009 fiscal year.
  5. Take the lesser of,
    - i. the amount of short-term interest incurred by the board in the 2008-2009 fiscal year in respect of the portion determined in paragraph 4, and
    - ii. the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 4 if each amount borrowed had been subject to an annual interest rate of not more than 0.20 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
  6. Determine the portion of the amount determined under paragraph 3 in respect of which the board did not incur interest in the 2008-2009 fiscal year.
  7. Determine the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 6 if each amount making up the portion had been borrowed on the date that it was withdrawn from reserves of the board, at the annual interest rate for three-month bankers' acceptances applicable on September 2, 2008.
  8. Determine the total of the principal and interest payments incurred by the board in the 2008-2009 fiscal year in respect of funds that the board borrowed from the Ontario Financing Authority to pay the costs determined under paragraph 3.
  9. Total the amounts determined under paragraphs 5, 7 and 8.
- (2) The amount for the purposes of subparagraph 2 ii of subsection (1) is determined as follows:
1. Determine the number of new elementary pupil places specified in the plan submitted under subsection (3).
  2. Multiply the number determined under paragraph 1 by the benchmark area requirement per pupil of 9.7 metres squared.
  3. Multiply the product determined under paragraph 2 by the unamortized benchmark construction cost of \$1,660.25 per metre squared.
  4. Multiply the amount determined under paragraph 3 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
  5. Determine the number of new secondary pupil places specified in the plan submitted under subsection (3).
  6. Multiply the number determined under paragraph 5 by the benchmark area requirement per pupil of 12.07 metres squared.
  7. Multiply the product determined under paragraph 6 by the unamortized benchmark construction cost of \$1,811.20 per metre squared.
  8. Multiply the amount determined under paragraph 7 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
  9. Total the amounts determined under paragraphs 4 and 8.
- (3) The following are conditions of the payment to a district school board of any part of the growth schools amount that relates to costs incurred in the 2008-2009 school board fiscal year:



1. The board submits a plan setting out the following:
  - i. The number of new elementary pupil places and the number of new secondary pupil places, if any, that the board plans to provide for pupils of the board from September 1, 2008 to August 31, 2009.
  - ii. The number of new elementary pupil places and the number of new secondary pupil places, if any, that the board plans to provide for pupils of the board from September 1, 2009 to August 31, 2010.
  - iii. The number of new elementary pupil places and the number of new secondary pupil places, if any, that the board plans to provide for pupils of the board from September 1, 2010 to August 31, 2011.
  - iv. The number of new elementary pupil places and the number of new secondary pupil places, if any, that the board plans to provide for pupils of the board from September 1, 2011 to August 31, 2012.
  - v. The areas within the board to be served by the pupil places set out in subparagraphs i to iv.
  - vi. The board's evaluation that, in each area referred to in subparagraph v, after accommodating as many elementary school pupils or secondary school pupils, as the case may be, as possible using the alternative methods set out in subsection (4), over the 10 consecutive school board fiscal years starting with the fiscal year mentioned in subparagraph A, B, C or D, an average of at least 80 per cent of the new pupil places mentioned under subparagraph i, ii, iii or iv that are located on any one school site will be needed for pupils of the board:
    - A. The 2009-2010 fiscal year, for new pupil places under subparagraph i.
    - B. The 2010-2011 fiscal year, for new pupil places under subparagraph ii.
    - C. The 2011-2012 fiscal year, for new pupil places under subparagraph iii.
    - D. The 2012-2013 fiscal year, for new pupil places under subparagraph iv.
2. The Minister approves the plan on the basis that it contains all the information described in paragraph 1 and that it is reasonable.
- (4) For purposes of subparagraph 1 vi of subsection (3), the alternative methods of providing accommodation are,
  - (a) using other pupil places available in a nearby school of the board;
  - (b) re-drawing the boundaries of the attendance areas of its elementary schools or secondary schools, as the case may be; and
  - (c) making program changes.

**Amount for the capital transitional adjustment**

52. The amount for the board for the fiscal year for the capital transitional adjustment is determined as follows:
  1. Determine the costs incurred by the board before August 31, 2009 to construct the new elementary pupil places and the new secondary pupil places set out in Columns 4 and 5 of Table 21, in the municipalities or former municipalities set out in Column 2 of that Table opposite the name of the board.
  2. Take the lesser of,
    - i. the amount determined under paragraph 1, and
    - ii. the total of the amounts set out in Column 6 of Table 21 opposite the name of the board.
  3. Determine the portion of the amount determined under paragraph 2 in respect of which the board incurred short-term interest in the 2008-2009 fiscal year.
  4. Take the lesser of,
    - i. the amount of short-term interest incurred by the board in the 2008-2009 fiscal year in respect of the portion determined in paragraph 3, and
    - ii. the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 3 if each amount borrowed had been subject to an annual interest rate of not more than 0.20 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
  5. Determine the portion of the amount determined under paragraph 2 in respect of which the board did not incur interest in the 2008-2009 fiscal year.
  6. Determine the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 5 if each amount making up the portion had been borrowed on the date that it was withdrawn from reserves of the board, at the annual interest rate for three-month bankers' acceptances applicable on September 2, 2008.



7. Determine the total of the principal and interest payments incurred by the board in the 2008-2009 fiscal year in respect of funds that the board borrowed from the Ontario Financing Authority to pay the costs determined under paragraph 2.
8. Total the amounts, if any, determined under paragraphs 4, 6 and 7.

**Amount for the replacement of schools that are prohibitive to repair**

**53.** The amount for the board for the fiscal year for the replacement of schools that are prohibitive to repair is determined as follows:

1. Determine the portion of the cost of replacing schools of the board for which the cost of repair is prohibitive, named in Columns 3 and 4 of Table 23 opposite the name of the board, that was incurred by the board between April 1, 2006 and August 31, 2009.
2. Take the lesser of,
  - i. the amount determined under paragraph 1, and
  - ii. the amount set out in Column 6 of Table 23 opposite the name of the board.
3. Determine the portion of the amount determined under paragraph 2 in respect of which the board incurred short-term interest in the 2008-2009 fiscal year.
4. Take the lesser of,
  - i. the amount of short-term interest incurred by the board in the 2008-2009 fiscal year in respect of the portion determined in paragraph 3, and
  - ii. the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 3 if each amount borrowed had been subject to an annual interest rate of not more than 0.20 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
5. Determine the portion of the amount determined under paragraph 2 in respect of which the board did not incur interest in the 2008-2009 fiscal year.
6. Determine the amount of short-term interest that the board would incur in the 2008-2009 fiscal year in respect of the portion determined under paragraph 5 if each amount making up the portion had been borrowed on the date that it was withdrawn from reserves of the board, at the annual interest rate for three-month bankers' acceptances applicable on September 2, 2008.
7. Determine the total of the principal and interest payments incurred by the board in the 2008-2009 fiscal year in respect of funds that the board borrowed from the Ontario Financing Authority to pay the costs determined under paragraph 2.
8. Total the amounts, if any, determined under paragraphs 4, 6 and 7.

**Amount for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act**

**54.** The amount for the board for the fiscal year for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act is determined as follows:

1. Determine the costs for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act, that are reported by August 31, 2009,
  - i. for which construction is completed at any time from September 1, 2005 to August 31, 2009,
  - ii. that are under construction during that period, or
  - iii. for which a tender for construction is awarded during that period.
2. Determine the amount that is payable in the 2008-2009 fiscal year if the amount determined under paragraph 1 is amortized over 25 years at an annual interest rate of 5.25 per cent, with no compounding.
3. Take the number of child care spaces that,
  - i. are in schools of the board that provide pupil accommodation for the first time on or after September 1, 2006, and
  - ii. the Minister confirms have been approved, by a municipality or district social services administration board established under section 3 of the *District Social Services Administration Boards Act*, as part of a facility described in clause 234 (1) (b) or (c) of the *Education Act*.
4. Multiply the number determined under paragraph 3 by the benchmark area requirement per child of 9.7 metres squared.
5. Multiply the number determined under paragraph 4 by the benchmark construction cost of \$120.77 per metre squared.

6. Multiply the amount determined under paragraph 5 by the geographic adjustment factor set out in Column 3 of Table 16 opposite the name of the board.
7. Multiply the amount determined under paragraph 6 by 1.4.
8. Take the lesser of the amounts determined under paragraph 2 and paragraph 7.

**Amount for outstanding capital commitments**

55. The amount for the board for the fiscal year for outstanding capital commitments is determined as follows:

1. Take the number of elementary school pupil places shown in Column 2 of Table 24, opposite the name of the board.
2. Multiply the number taken under paragraph 1 by the pre-September, 2005 benchmark area requirement per pupil of 9.29 metres squared.
3. Multiply the product obtained under paragraph 2 by the pre-September, 2004 benchmark construction cost of \$118.40 per metre squared.
4. Take the number of secondary school pupil places shown in Column 3 of Table 24, opposite the name of the board.
5. Multiply the number taken under paragraph 4 by the benchmark area requirement per pupil of 12.07 metres squared.
6. Multiply the product obtained under paragraph 5 by the pre-September, 2004 benchmark construction cost of \$129.17 per metre squared.
7. Add the products obtained under paragraphs 3 and 6.

**Calculations for the pupil accommodation allocation**

56. (1) The number, if any, of the board's new pupil places to meet elementary enrolment pressures is the sum of the numbers calculated under subsection (2) for each elementary school of the board in respect of which the conditions in the following paragraphs are satisfied:

1. The 2007-2008 enrolment of the school exceeded by at least 100 the sum of,
  - i. the 2007-2008 reported capacity of the school, and
  - ii. the number of the board's new pupil places to meet the elementary enrolment pressure for the school calculated under subsection 51 (2) of the 2007-2008 grant regulation.
2. The 2006-2007 enrolment of the school exceeded by at least 100 the sum of,
  - i. the 2006-2007 reported capacity of the school, and
  - ii. the number of the board's new pupil places to meet the elementary enrolment pressure for the school calculated under subsection 39 (18) of the 2006-2007 grant regulation.
3. The number of the board's new pupil places to meet the elementary enrolment pressure that would be determined for the school under subsection (2) exceeds the amount calculated using the formula,

$$A - B$$

in which,

"A" is the sum of the 2007-2008 reported capacities of all other elementary schools of the board located not more than eight kilometres by road from the school and the total of all amounts calculated under subsection 51 (2) of the 2007-2008 grant regulation in respect of those other schools, and

"B" is the sum of the 2007-2008 enrolment of the other schools referred to in "A".

4. The school is not listed in Table 22 or 23.

(2) The number of the board's new pupil places to meet the elementary enrolment pressure for each elementary school is the average of,

- (a) the amount by which the 2007-2008 enrolment of the school exceeded the sum of,
  - (i) the 2007-2008 reported capacity of the school, and
  - (ii) the number of the board's new pupil places to meet the elementary enrolment pressure for the school calculated under subsection 51 (2) of the 2007-2008 grant regulation; and
- (b) the amount by which the 2006-2007 enrolment of the school exceeded the sum of,
  - (i) the 2006-2007 reported capacity of the school, and
  - (ii) the number of the board's new pupil places to meet the elementary enrolment pressure for the school calculated under subsection 39 (18) of the 2006-2007 grant regulation.



(3) The number, if any, of the board's new pupil places to meet secondary enrolment pressures is the sum of the numbers calculated under subsection (4) for each secondary school of the board in respect of which the conditions in the following paragraphs are satisfied:

1. The 2007-2008 enrolment of the school exceeded by at least 100 the sum of,
  - i. the 2007-2008 reported capacity of the school, and
  - ii. the number of the board's new pupil places to meet the secondary enrolment pressure for the school calculated under subsection 51 (4) of the 2007-2008 grant regulation.
2. The 2006-2007 enrolment of the school exceeded by at least 100 the sum of,
  - i. the 2006-2007 reported capacity of the school, and
  - ii. the number of the board's new pupil places to meet the secondary enrolment pressure for the school calculated under subsection 39 (20) of the 2006-2007 grant regulation.
3. The number of the board's new pupil places to meet the secondary enrolment pressure that would be determined for the school under subsection (4) exceeds the amount calculated using the formula,

$$A - B$$

in which,

"A" is the sum of the 2007-2008 reported capacities of all other secondary schools of the board located not more than 32 kilometres by road from the school and the total of all amounts calculated under subsection 51 (4) of the 2007-2008 grant regulation in respect of those other schools, and

"B" is the sum of the 2007-2008 enrolment of the other schools referred to in "A".

4. The school is not listed in Table 22 or 23.

(4) The number of the board's new pupil places to meet the secondary enrolment pressure for each secondary school is the average of,

- (a) the amount by which the 2007-2008 enrolment of the school exceeded the sum of,
  - (i) the 2007-2008 reported capacity of the school, and
  - (ii) the number of the board's new pupil places to meet the secondary enrolment pressure for the school calculated under subsection 51 (4) of the 2007-2008 grant regulation; and
- (b) the amount by which the 2006-2007 enrolment of the school exceeded the sum of,
  - (i) the 2006-2007 reported capacity of the school, and
  - (ii) the number of the board's new pupil places to meet the secondary enrolment pressure for the school calculated under subsection 39 (20) of the 2006-2007 grant regulation.

(5) For the purposes of paragraph 78 of subsection 49 (1), the secondary capacity for the board is the secondary capacity determined for the board under the 2007-2008 grant regulation subject to the adjustments set out in subsections (9), (12), (17), (20), (23), (25), (26) and (30) of this section.

(6) The Minister shall determine loadings and categories of instructional space as follows:

1. The Minister shall identify categories of instructional space for all elementary facilities and secondary facilities of the board. In identifying categories of instructional space, the Minister shall use the categories identified in the Report of the Pupil Accommodation Review Committee, which is available as described in subsection 3 (7). Where the Report does not include an appropriate category for an instructional space, the Minister shall identify the category of that space in a manner that is consistent with the categorizations in the Report.
2. The Minister shall assign a loading to each category of instructional space identified under paragraph 1, based on the number of pupils that can reasonably be accommodated in each category of instructional space. In determining the number, the Minister shall consider the physical characteristics of the category of instructional space and the class size requirements under the Act.

(7) Subsection (8) or (9) applies in relation to an elementary facility or secondary facility of a board if, on or after January 1, 2004 and before February 17, 2005, the board issued a proposal under Ontario Regulation 444/98 (Disposition of Surplus Real Property) made under the Act to dispose of the facility at no cost to the Ontario Realty Corporation or to a board.

(8) The number referred to in subparagraph 30 i of subsection 49 (1) is determined as follows:

1. For each elementary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
2. Total the amounts determined under paragraph 1 for elementary facilities of the board.



- (9) The secondary capacity determined for the board under subsection (5) is adjusted as follows:
1. For each secondary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Total the amounts determined under paragraph 1 for secondary facilities of the board.
  3. Subtract the total determined under paragraph 2 from the secondary capacity determined for the board under subsection (5).
- (10) Subsection (11) or (12) applies in relation to an elementary facility or secondary facility of the board if,
- (a) the facility is acquired by the board as a result of a proposal issued by another board on or after January 1, 2004 and before February 17, 2005 under Ontario Regulation 444/98, to dispose of the facility at no cost; and
  - (b) subsections (16) and (17) do not apply to the facility.
- (11) The number referred to in subparagraph 32 ii of subsection 49 (1) is determined as follows:
1. For each elementary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Total the amounts determined under paragraph 1 for the elementary facilities of the board.
- (12) The secondary capacity determined for the board under subsection (5) is adjusted as follows:
1. For each secondary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Total the amounts determined under paragraph 1 for the secondary facilities of the board.
  3. Add the total determined under paragraph 2 to the secondary capacity determined for the board under subsection (5).
- (13) Subsection (16) or (17) applies in relation to an elementary facility or secondary facility of the board if all of the following conditions are satisfied:
1. The facility is acquired by the board as a result of a proposal issued by another board on or after January 1, 2004 and before February 17, 2005 under Ontario Regulation 444/98, to dispose of the facility at no cost.
  2. Within 30 days after offering to acquire the facility at no cost, the board notifies the Minister in writing of the offer and provides such information and material as the Minister may require to verify that the acquisition of the facility,
    - i. is consistent with the long-term accommodation plan of the board,
    - ii. would benefit the pupils of the board,
    - iii. would result in more effective use of public assets, and
    - iv. would reduce the need of the board for the construction of new school facilities.
- (14) Subsection (16) applies in relation to an elementary school of the board if the school provides pupil accommodation for elementary school pupils during the fiscal year and is located in a municipality or former municipality set out in Column 2 of Table 20 opposite the name of the board in Column 1 of that Table and opposite a number greater than zero in Column 4 of that Table.
- (15) Subsection (17) applies in relation to a secondary school of the board if the school provides pupil accommodation for secondary school pupils during the fiscal year and is located in a municipality or former municipality set out in Column 2 of Table 20 opposite the name of the board in Column 1 of that Table and opposite a number greater than zero in Column 5 of that Table.
- (16) The number referred to in subparagraph 32 iii of subsection 49 (1) is determined as follows:
1. For each elementary school to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the school, as categorized under subsection (6).
  2. Determine the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in that school.
  3. Take the lesser of the amounts determined for the school under paragraphs 1 and 2.
  4. Total the amounts determined under paragraph 3 for each of the elementary schools to which this subsection applies.
- (17) The secondary capacity determined for the board under subsection (5) is adjusted as follows:
1. For each secondary school to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the school, as categorized under subsection (6).
  2. Determine the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in that school.

3. Take the lesser of the amounts determined for the school under paragraphs 1 and 2.
  4. Total the amounts determined under paragraph 3 for each of the secondary schools to which this subsection applies.
  5. Add the total determined under paragraph 4 to the secondary capacity determined for the board under subsection (5).
- (18) Subsection (19) or (20) applies in relation to an elementary facility or secondary facility of a board if,
- (a) in the 2007 calendar year, the board agreed with another board to dispose of the elementary facility or secondary facility of the board to the other board, in consideration for the conveyance to it of an elementary facility or secondary facility of the other board; and
  - (b) before the agreement referred to in clause (a) was entered into, the Minister indicated in writing that, in his or her opinion, the transfer provided for by the agreement,
    - (i) is consistent with the long-term accommodation plans of both boards,
    - (ii) would benefit pupils of both boards,
    - (iii) would result in more effective use of public assets, and
    - (iv) would reduce the needs of both boards for the construction of new school facilities.
- (19) The number referred to in subparagraph 30 ii of subsection 49 (1) is determined as follows:
1. For each elementary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Total the amounts determined under paragraph 1 for elementary facilities of the board.
- (20) The secondary capacity determined for the board under subsection (5) is adjusted as follows:
1. For each secondary facility of the board to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Total the amounts determined under paragraph 1 for secondary facilities of the board.
  3. Subtract the total determined under paragraph 2 from the secondary capacity determined for the board under subsection (5).
- (21) Subsection (22) or (23) applies in relation to an elementary facility or secondary facility of a board acquired in the circumstances described in subsection (18).
- (22) The number referred to in subparagraph 30 iii of subsection 49 (1) is determined as follows:
1. For each elementary facility of the board acquired in the circumstances described in subsection (18), apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Determine the 2008-2009 enrolment for the facility, if any.
  3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1. If the difference is a negative number, it is deemed to be zero.
- (23) The secondary capacity determined for the board under subsection (5) is adjusted as follows:
1. For each secondary facility of the board acquired in the circumstances described in subsection (18), apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Determine the 2008-2009 enrolment for the facility, if any.
  3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1. If the difference is a negative number, it is deemed to be zero.
  4. Total the amounts determined under paragraph 3 for secondary facilities of the board.
  5. Subtract the total determined under paragraph 4 from the secondary capacity determined for the board under subsection (5).
- (24) If the board has an elementary facility that it acquired after December 31, 1998 and before the start of the fiscal year in circumstances described in subsection (18), the number referred to in subparagraph 32 iv of subsection 49 (1) is determined as follows:
1. For each elementary facility acquired, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
  2. Determine the 2008-2009 enrolment for the facility, if any.
  3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1. If the difference is a negative number, it is deemed to be zero.



4. Total the amounts determined under paragraph 3 for each of the elementary facilities acquired.
5. Subtract the amount determined under paragraph 4 from the total of the amounts determined for the board under the provisions comparable to this subsection in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.

(25) If the board has a secondary facility that it acquired after December 31, 1998 and before the start of the fiscal year in circumstances described in subsection (18), the secondary capacity determined for the board under subsection (5) is adjusted as follows:

1. For each secondary facility acquired, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
2. Determine the 2008-2009 enrolment for the facility, if any.
3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1. If the difference is a negative number, it is deemed to be zero.
4. Total the amounts determined under paragraph 3 for each of the secondary facilities acquired.
5. Subtract the amount determined under paragraph 4 from the total of the amounts determined for the board under the provisions comparable to this subsection in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.
6. Add the difference determined under paragraph 5 to the secondary capacity determined for the board under subsection (5).

(26) The secondary capacity determined for the board under subsection (5) is adjusted by adding the number, if any, of new pupil places to meet the secondary enrolment pressures as determined under subsection (3).

(27) Subsection (28) applies in relation to an elementary facility of the board described in a provision comparable to subsection (13) or (14) in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.

(28) The number referred to in subparagraph 32 v of subsection 49 (1) is determined as follows:

1. For each elementary facility to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
2. Determine the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in that facility.
3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1 for that school. If the difference is a negative number, it is deemed to be zero.
4. Total the amounts determined under paragraph 3 for each of the elementary facilities to which this subsection applies.
5. Subtract the amount determined under paragraph 4 from the total of the amounts determined for previous fiscal years for the board under provisions comparable to subsection (16) in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.

(29) Subsection (30) applies in relation to a secondary facility of the board described in a provision comparable to subsection (13) or (15) in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.

(30) The secondary capacity determined for the board under subsection (5) is adjusted as follows:

1. For each secondary facility to which this subsection applies, apply the loadings determined under subsection (6) to the instructional spaces of the facility, as categorized under subsection (6).
2. Determine the 2008-2009 day school average daily enrolment of pupils of the board, counting only pupils enrolled in that school.
3. Subtract the amount determined under paragraph 2 from the amount determined under paragraph 1 for that facility. If the difference is a negative number, it is deemed to be zero.
4. Total the amounts determined under paragraph 3 for each of the secondary facilities to which this subsection applies.
5. Subtract the amount determined under paragraph 4 from the total of the amounts determined for previous fiscal years for the board under the provisions comparable to subsection (17) in the regulations made under section 234 of the Act in respect of grants payable to boards for previous fiscal years.
6. Add the difference determined under paragraph 5 to the secondary capacity for the board determined under subsection (5).



(31) For the purposes of paragraphs 3 and 5 of subsection 32 (3), subparagraph 16 ii of subsection 46 (1) and subparagraph 14 ii of section 47, the capacity of an elementary school is determined by applying the loadings determined under subsection (6) to the instructional spaces of the school, as categorized under subsection (6).

(32) For the purposes of paragraphs 4 and 5 of subsection 32 (3), subparagraph 30 ii of subsection 46 (1) and subparagraph 28 ii of section 47, the capacity of a secondary school is determined by applying the loadings determined under subsection (6) to the instructional spaces of the school, as categorized under subsection (6).

#### Debt charges allocation

57. (1) The amount of the debt charges allocation for a district school board for the fiscal year is the sum of,

- (a) the total amount of principal and interest paid by the board in the fiscal year in respect of the permanently financed debt of the board; and
- (b) the total amount payable in the fiscal year in respect of the financing arranged to refinance the board's non-permanently financed debt, including the amount of any payments required to be made in the year to a reserve account or sinking fund and the amount of reasonable expenses.

(2) In this section,

"non-permanently financed debt" means, in respect of a board, the amount listed in Column 3 opposite the name of the board in Table 25; ("dette sans financement permanent")

"permanently financed debt" means, in respect of a board, the amount that is listed in Column 2 opposite the name of the board in Table 25. ("dette avec financement permanent")

#### Adjustment for declining enrolment

58. (1) The amount of a district school board's adjustment for declining enrolment for the fiscal year for the purposes of section 13 is the sum of the following amounts:

1. The product obtained when 0.25 is multiplied by the amount, if any, that was determined under subsection 41 (2) of the 2006-2007 grant regulation.
2. The product obtained when 0.5 is multiplied by the amount, if any, that was determined under subsection 53 (2) of the 2007-2008 grant regulation.
3. If the 2008-2009 day school average daily enrolment of pupils of the board is less than the 2007-2008 day school average daily enrolment of pupils of the board as determined under section 2 of Ontario Regulation 150/07 (Calculation of Average Daily Enrolment for the 2007-2008 School Board Fiscal Year) made under the Act, the amount, if it exceeds zero, determined in accordance with subsection (2).

(2) The amount for the purposes of paragraph 3 of subsection (1) is the amount calculated using the formula,

$$[(A - B) - 0.58 (A \times C)] \times D/C$$

in which,

"A" is the amount determined in respect of the board under subsection (3),

"B" is the amount determined in respect of the board under subsection (4),

"C" is the amount determined in respect of the board under subsection (5), and

"D" is the amount determined in respect of the board under subsection (6).

(3) The amount determined under this subsection in respect of a board is the sum of the following amounts determined for the board for its 2007-2008 fiscal year under the 2007-2008 grant regulation:

1. The pupil foundation allocation for the fiscal year.
2. The enrolment-based special education amount for the fiscal year.
3. In the case of a French-language district school board, the French as a first language amount included in the board's language allocation for the fiscal year.
4. The remote and rural allocation for the fiscal year.
5. The sum of the amounts listed in paragraphs 2, 3 and 4 of subsection 38 (1) of the 2007-2008 grant regulation.
6. The sum of the amounts determined under paragraphs 15, 17, 22, 26, 29, 31, 36, 40 and 43 of subsection 41 (1) of the 2007-2008 grant regulation less the amount determined using the following formula:

$$(A \times B) \times 9.29 \times \$66.48$$

in which,

“A” is the number calculated in respect of the board under paragraph 7 of subsection 41 (1) of the 2007-2008 grant regulation, and

“B” is the supplementary continuing education and other programs area factor approved by the Minister in respect of the board under subsection 41 (4) of the 2007-2008 grant regulation.

(4) The amount determined under this subsection in respect of a board is the amount calculated in respect of the board's 2008-2009 fiscal year as follows:

1. Add,

- i. the pupil foundation allocation for the fiscal year,
- ii. the enrolment-based special education amount for the fiscal year,
- iii. in the case of a French-language district school board, the French as a first language amount included in the board's language allocation for the fiscal year,
- iv. the remote and rural allocation for the fiscal year,
- v. the sum of the amounts listed in paragraphs 2 and 4 of subsection 42 (1) and paragraph 5 of subsection 42 (5), and
- vi. the sum of the amounts determined under paragraphs 15, 17, 22, 26, 29, 31, 36, 40 and 43 of subsection 46 (1), less the amount determined using the following formula:

$$(A \times B) \times 9.29 \times \$67.41$$

in which,

“A” is the number calculated in respect of the board under paragraph 7 of subsection 46 (1), and

“B” is the supplementary continuing education and other programs area factor approved by the Minister in respect of the board under subsection 46 (4).

2. Subtract from the total determined under paragraph 1, the product of the 2008-2009 day school average daily enrolment of pupils of the board and the amount shown in Column 2 of Table 26 opposite the name of the board in Column 1 of that Table.

(5) The amount determined under this subsection in respect of a board is the amount calculated using the following formula,

$$1 - E/F$$

in which,

“E” is the 2008-2009 day school average daily enrolment of pupils of the board,

“F” is the 2007-2008 day school average daily enrolment of pupils of the board, as determined under section 2 of Ontario Regulation 150/07, and

“E/F” is rounded to five decimal points.

(6) The amount determined under this subsection in respect of a board is the amount calculated as follows:

1. If the amount determined in respect of the board under subsection (5) does not exceed 0.0025, the amount determined under this subsection in respect of the board is calculated using the formula,

$$0.5 \times C$$

in which,

“C” is the amount determined in respect of the board under subsection (5).

2. If the amount determined in respect of the board under subsection (5) is greater than 0.0025 but does not exceed 0.015, the amount determined under this subsection in respect of the board is calculated using the formula,

$$(C - 0.0025) + 0.00125$$

in which,

“C” is the amount determined in respect of the board under subsection (5).

3. If the amount determined in respect of the board under subsection (5) is greater than 0.015, the amount determined under this subsection in respect of the board is calculated using the formula,

$$1.5 \times (C - 0.015) + 0.01375$$

in which,

“C” is the amount determined in respect of the board under subsection (5).

#### **Compliance**

**59.** Every district school board shall manage its estimates process and its expenditures so as to ensure compliance with the requirements of sections 60 to 62.

#### **Required spending, special education**

**60.** (1) Subject to subsection (2), a district school board shall ensure that the amount it spends in the fiscal year on special education for pupils of the board is not less than the amount of the board's special education allocation for the fiscal year.

(2) If a board's net expenditure on special education for its pupils in the fiscal year is less than the amount required under subsection (1), the board shall place the difference in the board's special education reserve fund.

(3) For the purposes of this section, a board's net expenditure on special education in the fiscal year is determined as follows:

1. Add the part of the amount that is in the board's reserve fund under subsection 233 (1) of the Act on August 31, 2009, immediately before the transfer under subsection 233 (2) of the Act, that is attributable to special education to the board's expenditure on special education for its pupils in the 2008-2009 fiscal year.
2. Deduct the following amounts from the amount determined under paragraph 1:
  - i. The amount of any transfers from the board's special education reserve fund in the fiscal year.
  - ii. The amounts of any other transfers from reserves in the fiscal year that were applied against the board's expenditure on special education for its pupils.
  - iii. Any revenue from other sources received by the board in the fiscal year that is spent by the board in the fiscal year on special education for its pupils.

(4) This section shall not be interpreted as limiting the amount that a board may spend on special education.

#### **Required spending, capital assets**

**61.** (1) Subject to subsection (2), a district school board shall ensure that an amount equal to the total of the following amounts determined for the board is spent in the fiscal year on the acquisition of capital assets:

1. The amount for school renewal, determined under section 47.
2. The amount for new pupil places, determined under section 49.
3. The amount for the construction of facilities described in clauses 234 (1) (b) and (c) of the Act, determined under section 54 of this Regulation.
4. The amount for outstanding capital commitments, determined under section 55.

(2) If a board's net expenditure in the fiscal year on the acquisition of capital assets is less than the total amount determined under subsection (1), the board shall place the difference in the board's pupil accommodation allocation reserve fund.

(3) For the purposes of this section, a board's net expenditure in the fiscal year on the acquisition of capital assets is determined by deducting the following amounts from its expenditures in the fiscal year on the acquisition of capital assets:

1. The amounts of any transfers in the fiscal year from the pupil accommodation allocation reserve fund.
2. The amounts of any transfers in the fiscal year from the proceeds of disposition reserve fund or the reserve fund for the proceeds of disposition of schools that are prohibitive to repair that were applied in the fiscal year against expenditures for the acquisition of capital assets.
3. The amounts of any transfers in the fiscal year from other reserves, other than education development charge reserve funds, that were applied in the fiscal year against expenditures for the acquisition of capital assets.
4. Any revenue from other sources received by the board in the fiscal year that is spent by the board in the fiscal year on the acquisition of capital assets.

(4) This section shall not be interpreted as limiting the amount that a board may spend on the acquisition of capital assets.

#### **Maximum administration and governance expenditures**

**62.** (1) A district school board shall ensure that its net administration and governance expenditures in the fiscal year do not exceed its administration and governance limit.



- (2) The amount of the board's administration and governance limit for the fiscal year is the sum of,
  - (a) the portion of the board's adjustment for declining enrolment, if any, that is allocated by the board to the administration and governance limit; and
  - (b) the board's administration and governance allocation for the fiscal year.
- (3) For the purposes of this section,
  - (a) an expenditure by a board is an administration expenditure if it is an expenditure categorized in the Ministry's Uniform Code of Accounts as an administration expenditure; and
  - (b) an expenditure by a board is a governance expenditure if it is an expenditure categorized in the Ministry's Uniform Code of Accounts as a governance expenditure.
- (4) For the purposes of this section, a board's net administration and governance expenditures in the fiscal year is determined as follows:
  - 1. Determine the sum of the administration expenditures made by the board in the fiscal year and the governance expenditures made by the board in the fiscal year.
  - 2. Add the part of the amount that is in the board's reserve fund under subsection 233 (1) of the Act on August 31, 2009, before the transfer under subsection 233 (2) of the Act, that is attributable to administration and governance to the amount determined under paragraph 1 of this subsection.
  - 3. Deduct the following amounts from the amount determined under paragraph 2:
    - i. The amounts of any transfers from reserves in the fiscal year that were applied against the board's administration expenditures or governance expenditures.
    - ii. Any revenue from other sources received by the board in the fiscal year that is spent by the board in the fiscal year on board administration expenditures or governance expenditures.

### PART III GRANTS TO SCHOOL AUTHORITIES

#### Grants to isolate boards

63. (1) For the purposes of this section, the approved expenditure of an isolate board is the expenditure that is acceptable to the Minister as shown on the forms provided by the Ministry to the isolate board for the purpose of calculating its 2008-2009 legislative grant.

(2) In making determinations for the purposes of subsection (1), the Minister shall apply the funding formula on which the provisions of this Regulation relating to grants to district school boards is based, with such adaptations as the Minister considers advisable to take account of characteristics particular to isolate boards.

(3) For the purposes of this section, the 2008-2009 tax revenue of an isolate board is determined as follows:

- 1. Add:
  - i. 38 per cent of the sum of,
    - A. the total of the amounts distributed to the board in respect of the 2008 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (4), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the *Education Act*, under sections 447.20 and 447.52 of the *Municipal Act* as made applicable by section 474 of the *Municipal Act, 2001*, under subsections 364 (22) and 365.2 (16) of the *Municipal Act, 2001*, under section 10 of Ontario Regulation 509/98 (Tax Matters — Relief in Unorganized Territory (Section 257.2.1 of the Act)) made under the Act and under subsection 13 (2) of Ontario Regulation 3/02 (Tax Relief in Unorganized Territory for 2001 and Subsequent Years) made under the Act,
    - B. the amounts, if any, referred to in subsection 364 (22) of the *Municipal Act, 2001*, as made applicable by section 257.12.3 of the *Education Act*, that are paid to the board in respect of the 2008 calendar year,
    - C. the total of all amounts, if any, paid to the board in respect of the 2008 calendar year by a municipality under subsections 353 (4), (4.1) and 366 (3) of the *Municipal Act, 2001*,
    - D. the amounts, if any, applied by the board against the cancellation price of land sold for tax arrears in the 2008 calendar year under section 380 of the *Municipal Act, 2001*, as made applicable by subsection 371 (2) of that Act,
    - E. the payments in lieu of taxes distributed to the board in respect of the 2008 calendar year under subsection 322 (1) of the *Municipal Act, 2001*,
    - F. the grants, if any, made to the board in respect of the 2008 calendar year under subsection 302 (2) of the *Municipal Act, 2001*,

- G. the amounts, if any, received by the board in respect of the 2008 calendar year under the *Payments in Lieu of Taxes Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
  - H. the amounts, if any, paid to the board in respect of the 2008 calendar year under subsections 9 (2) and (4) of the *Tax Incentive Zones Act (Pilot Projects)*, 2002,
- ii. 62 per cent of the sum of,
- A. the total of the amounts distributed to the board in respect of the 2009 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (4), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the *Education Act*, under sections 447.20 and 447.52 of the *Municipal Act* as made applicable by section 474 of the *Municipal Act, 2001*, under subsections 364 (22) and 365.2 (16) of the *Municipal Act, 2001*, under section 10 of Ontario Regulation 509/98 and under subsection 13 (2) of Ontario Regulation 3/02,
  - B. the amounts, if any, referred to in subsection 364 (22) of the *Municipal Act, 2001*, as made applicable by section 257.12.3 of the *Education Act*, that are paid to the board in respect of the 2009 calendar year,
  - C. the total of all amounts, if any, paid to the board in respect of the 2009 calendar year by a municipality under subsections 353 (4), (4.1) and 366 (3) of the *Municipal Act, 2001*,
  - D. the amounts, if any, applied by the board against the cancellation price of land sold for tax arrears in the 2009 calendar year under sections 380 and 380.1 of the *Municipal Act, 2001*, as made applicable by subsection 371 (2) of that Act,
  - E. the payments in lieu of taxes distributed to the board in respect of the 2009 calendar year under subsection 322 (1) of the *Municipal Act, 2001*,
  - F. the grants, if any, made to the board in respect of the 2009 calendar year under subsection 302 (2) of the *Municipal Act, 2001*,
  - G. the amounts, if any, received by the board in respect of the 2009 calendar year under the *Payments in Lieu of Taxes Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
  - H. the amounts, if any, paid to the board in respect of the 2009 calendar year under subsections 9 (2) and (4) of the *Tax Incentive Zones Act (Pilot Projects)*, 2002,
- iii. the total of the amounts, if any, distributed to the board in the fiscal year under subsection 2 (3) of Ontario Regulation 365/98 (Pre-1998 School Tax Arrears) made under the Act, and
- iv. the total of the amounts, if any, paid to the board in the fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98 (Tax Arrears in Annexed Areas) made under the Act.
2. Calculate the difference between the following amounts and deduct that difference if the amount described in subparagraph i is less than the amount described in subparagraph ii or add that difference if the amount described in subparagraph i is more than the amount described in subparagraph ii:
- i. The amount that was determined under subparagraph 1 ii of subsection 58 (3) of the 2007-2008 grant regulation for the purposes of calculating the amount payable to the board as legislative grant in respect of the 2007-2008 school board fiscal year.
  - ii. The amount that would have been determined under subparagraph 1 ii of subsection 58 (3) of the 2007-2008 grant regulation if that amount had been determined on the basis of the board's annual financial statements as reported to the Ministry for the 2007-2008 school board fiscal year.
3. If the board is required to levy taxes for school purposes in respect of property in territory without municipal organization, deduct the sum of the amounts calculated in respect of the board under subparagraphs 3 i and ii of subsection 58 (3) of the 2007-2008 grant regulation.
4. Deduct the costs for which the board is responsible under the Act or the *Municipal Elections Act, 1996* that are incurred in the fiscal year to conduct elections of members in territory without municipal organization that is deemed to be a district municipality for the purposes of clause 257.12 (3) (a) of the *Education Act*.
5. Deduct the amounts charged to the board in the 2008 calendar year by a municipal council under section 353 of the *Municipal Act, 2001*, including amounts charged under that section as a result of private legislation.
6. Deduct the total of the amounts rebated, paid or credited by the board under section 257.2.1 of the Act in the fiscal year.
7. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 2008 calendar year under paragraph 3 of subsection 7 (4) of Ontario Regulation 3/02 and under subsections 361 (7), 364 (11), 365 (3), 365.1 (13) to (15) and 365.2 (8) of the *Municipal Act, 2001*.



8. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 2009 calendar year under paragraph 3 of subsection 7 (4) of Ontario Regulation 3/02 and under subsections 361 (7), 364 (11), 365 (3), 365.1 (13) to (15) and 365.2 (8) of the *Municipal Act, 2001*.

(4) Amounts, if any, paid by the Minister to the board in respect of the 2008 calendar year under section 257.10.1 or 257.11 of the Act are deemed to be amounts distributed to the board in respect of the 2008 calendar year under a provision of the Act referred to in subparagraph 1 i of subsection (3) of this section.

(5) Amounts, if any, paid by the Minister to the board in respect of the 2009 calendar year under section 257.11 of the Act are deemed to be amounts distributed to the board in respect of the 2009 calendar year under a provision of the Act referred to in subparagraph 1 ii of subsection (3) of this section.

(6) Paragraph 3 of subsection (3) shall not be interpreted to preclude the inclusion in the board's approved expenditure of an amount on account of the costs incurred by the board in collecting taxes in territory without municipal organization, if those costs exceed the amount deducted under paragraph 3 of subsection (3).

(7) If the approved expenditure of an isolate board exceeds its 2008-2009 tax revenue, the board is paid a grant equal to the excess.

#### Grants to s. 68 boards

64. (1) A section 68 board is paid a grant in an amount determined as follows:

1. Take the expenditure of the board for the fiscal year that is acceptable to the Minister for grant purposes, excluding,
  - i. expenditures for debt charges,
  - ii. expenditures for the purchase of capital assets,
  - iii. expenditures for the restoration of destroyed or damaged capital assets, and
  - iv. provisions for reserves for working funds and provisions for reserve funds.
2. Deduct the revenue of the board for the fiscal year, not including revenue from,
  - i. legislative grants,
  - ii. an organization on whose property a school of the board is located, and
  - iii. refunds of expenditure of the kind described in subparagraph 1 i, ii or iii.

(2) Subsection (3) applies if,

- (a) a section 68 board makes expenditures to purchase special equipment in accordance with the document entitled "Special Education Funding Guidelines: Special Equipment Amount (SEA) and Special Incidence Portion (SIP) 2008-09", which is available as described in subsection 3 (2), for a pupil of a section 68 board and the pupil enrolls in a school operated by a district school board or by a different section 68 board during the fiscal year; or
- (b) a claim for special equipment for a pupil of a section 68 board has been approved and the pupil enrolls in a school operated by a different section 68 board during the 2007-2008 school board fiscal year.

(3) The special equipment referred to in subsection (2) must move with the pupil to the new board unless, in the opinion of the new board, it is not practical to move the equipment.

### PART IV PAYMENTS TO GOVERNING AUTHORITIES

#### Definitions

65. In this Part,

"Crown establishment" means an establishment maintained by a Department of the Government of Canada, a federal Crown company, The Royal Canadian Mounted Police or Atomic Energy of Canada Limited, on lands held by the Crown in right of Canada that are not assessable for school purposes, and includes a reserve as defined in the *Indian Act* (Canada); ("établissement de la Couronne")

"reserve" means a reserve within the meaning of the *Indian Act* (Canada). ("réserve")

#### Pupil attending school in Manitoba or Quebec

66. (1) If a pupil who resides in a territorial district attends a school supported by local taxation in Manitoba or Quebec, the Minister may pay the governing authority of the school an amount agreed on between him or her and the authority if, in the Minister's opinion,

- (a) daily transportation to a school in Ontario is impracticable due to distance or terrain;
- (b) the provision of board, lodging and weekly transportation to a school in Ontario is impracticable because of the age or disability of the pupil; and



(c) the pupil attends a school that it is reasonable for him or her to attend, having regard to distance or terrain and any special needs of the pupil.

(2) In making a determination under subsection (1) with respect to a pupil who is a French-speaking person, the Minister shall have regard to language of instruction.

**Pupil attending school on reserve**

67. (1) This section applies if a pupil who resides in a territorial district,

(a) is not resident in the area of jurisdiction of a board and is not resident on a Crown establishment; and

(b) attends a school on a reserve that is operated by,

(i) the Crown in right of Canada, or

(ii) a band, the council of a band or an education authority, if the band, council of a band or education authority is authorized by the Crown in right of Canada to provide education for Indians.

(2) The Minister shall pay the governing authority of the school attended by the pupil the amount agreed on between the governing authority and the Minister.

**Amounts payable to board, attendance at school for Indian children**

68. (1) This section applies in respect of a board that has submitted to the Minister an arrangement for admission of one or more persons who are qualified to be resident pupils of the board to an elementary school for Indian children under section 185 of the Act.

(2) Subject to subsection (3), the Minister shall pay to the board, for each person to whom the arrangement applies, an amount equal to the cost per pupil of elementary instruction for the 2008-2009 fiscal period in the school to which the child is admitted under the arrangement.

(3) The amount paid by the Minister under subsection (2) shall not exceed the fee that the board would charge to elementary school pupils under section 3 of the 2008-2009 fees regulation.

TABLE/TABLEAU 1

HIGH NEEDS PER-PUPIL AMOUNT/SOMME LIÉE AUX BESOINS ÉLEVÉS FONDÉE SUR L'EFFECTIF

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	740.68
2.	Algonquin and Lakeshore Catholic District School Board	606.42
3.	Avon Maitland District School Board	502.87
4.	Bluewater District School Board	628.62
5.	Brant Haldimand Norfolk Catholic District School Board	386.39
6.	Bruce-Grey Catholic District School Board	612.19
7.	Catholic District School Board of Eastern Ontario	704.49
8.	Conseil de district des écoles publiques de langue française n° 59	507.29
9.	Conseil scolaire de district catholique Centre-Sud	505.26
10.	Conseil scolaire de district catholique de l'Est ontarien	786.23
11.	Conseil scolaire de district catholique des Aurores boréales	1509.80
12.	Conseil scolaire de district catholique des Grandes Rivières	499.53
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	605.22
14.	Conseil scolaire de district catholique du Nouvel-Ontario	717.33
15.	Conseil scolaire de district catholique Franco-Nord	1161.84
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	427.51
17.	Conseil scolaire de district du Centre Sud-Ouest	376.35
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1673.35
19.	Conseil scolaire de district du Nord-Est de l'Ontario	1586.50
20.	District School Board of Niagara	355.46
21.	District School Board Ontario North East	719.17
22.	Dufferin-Peel Catholic District School Board	375.13
23.	Durham Catholic District School Board	383.93
24.	Durham District School Board	521.34
25.	English-language Separate District School Board No. 38	410.92
26.	Grand Erie District School Board	521.70
27.	Greater Essex County District School Board	414.03

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
28.	Halton Catholic District School Board	445.58
29.	Halton District School Board	601.81
30.	Hamilton-Wentworth Catholic District School Board	522.57
31.	Hamilton-Wentworth District School Board	443.28
32.	Hastings and Prince Edward District School Board	619.22
33.	Huron Perth Catholic District School Board	359.45
34.	Huron-Superior Catholic District School Board	375.69
35.	Kawartha Pine Ridge District School Board	583.61
36.	Keewatin-Patricia District School Board	1239.85
37.	Kenora Catholic District School Board	801.22
38.	Lakehead District School Board	697.08
39.	Lambton Kent District School Board	452.78
40.	Limestone District School Board	771.86
41.	Near North District School Board	804.64
42.	Niagara Catholic District School Board	487.42
43.	Nipissing-Parry Sound Catholic District School Board	1058.34
44.	Northeastern Catholic District School Board	1128.65
45.	Northwest Catholic District School Board	417.84
46.	Ottawa-Carleton District School Board	498.00
47.	Ottawa Catholic District School Board	379.82
48.	Peel District School Board	339.58
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	693.08
50.	Rainbow District School Board	496.75
51.	Rainy River District School Board	1016.84
52.	Renfrew County Catholic District School Board	603.21
53.	Renfrew County District School Board	407.95
54.	Simcoe County District School Board	585.03
55.	Simcoe Muskoka Catholic District School Board	470.26
56.	St. Clair Catholic District School Board	481.01
57.	Sudbury Catholic District School Board	366.30
58.	Superior-Greenstone District School Board	642.60
59.	Superior North Catholic District School Board	1541.37
60.	Thames Valley District School Board	479.03
61.	Thunder Bay Catholic District School Board	591.46
62.	Toronto Catholic District School Board	604.59
63.	Toronto District School Board	522.93
64.	Trillium Lakelands District School Board	738.12
65.	Upper Canada District School Board	750.59
66.	Upper Grand District School Board	365.38
67.	Waterloo Catholic District School Board	485.45
68.	Waterloo Region District School Board	487.24
69.	Wellington Catholic District School Board	361.92
70.	Windsor-Essex Catholic District School Board	486.85
71.	York Catholic District School Board	504.53
72.	York Region District School Board	447.56

TABLE/TABLEAU 2  
ESL/ELD GRANT/SUBVENTION ESL/ELD

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Somme \$
1.	Algoma District School Board	12,251
2.	Algonquin and Lakeshore Catholic District School Board	39,469
3.	Avon Maitland District School Board	130,943
4.	Bluewater District School Board	89,991
5.	Brant Haldimand Norfolk Catholic District School Board	46,070
6.	Bruce-Grey Catholic District School Board	6,460
7.	Catholic District School Board of Eastern Ontario	18,040



Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Somme \$
8.	District School Board of Niagara	209,141
9.	District School Board Ontario North East	20,124
10.	Dufferin-Peel Catholic District School Board	1,744,612
11.	Durham Catholic District School Board	133,721
12.	Durham District School Board	289,528
13.	English-language Separate District School Board No. 38	244,758
14.	Grand Erie District School Board	142,656
15.	Greater Essex County District School Board	444,329
16.	Halton Catholic District School Board	167,169
17.	Halton District School Board	239,846
18.	Hamilton-Wentworth Catholic District School Board	375,914
19.	Hamilton-Wentworth District School Board	670,457
20.	Hastings and Prince Edward District School Board	39,710
21.	Huron Perth Catholic District School Board	15,940
22.	Huron-Superior Catholic District School Board	10,295
23.	Kawartha Pine Ridge District School Board	43,189
24.	Keewatin-Patricia District School Board	13,103
25.	Kenora Catholic District School Board	251
26.	Lakehead District School Board	52,823
27.	Lambton Kent District School Board	112,982
28.	Limestone District School Board	80,431
29.	Near North District School Board	14,833
30.	Niagara Catholic District School Board	101,516
31.	Nipissing-Parry Sound Catholic District School Board	5,838
32.	Northeastern Catholic District School Board	5,625
33.	Northwest Catholic District School Board	2,906
34.	Ottawa-Carleton District School Board	1,037,335
35.	Ottawa Catholic District School Board	486,435
36.	Peel District School Board	2,210,722
37.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	18,700
38.	Rainbow District School Board	26,345
39.	Rainy River District School Board	4,874
40.	Renfrew County Catholic District School Board	6,555
41.	Renfrew County District School Board	16,120
42.	Simcoe County District School Board	87,727
43.	Simcoe Muskoka Catholic District School Board	47,253
44.	St. Clair Catholic District School Board	40,256
45.	Sudbury Catholic District School Board	12,335
46.	Superior-Greenstone District School Board	829
47.	Superior North Catholic District School Board	0
48.	Thames Valley District School Board	803,250
49.	Thunder Bay Catholic District School Board	26,900
50.	Toronto Catholic District School Board	4,129,707
51.	Toronto District School Board	9,731,883
52.	Trillium Lakelands District School Board	0
53.	Upper Canada District School Board	33,865
54.	Upper Grand District School Board	285,778
55.	Waterloo Catholic District School Board	356,812
56.	Waterloo Region District School Board	884,037
57.	Wellington Catholic District School Board	56,393
58.	Windsor-Essex Catholic District School Board	303,833
59.	York Catholic District School Board	697,161
60.	York Region District School Board	1,234,284



TABLE/TABLEAU 3

**ASSIMILATION FACTORS FOR ALF FUNDING/FACTEURS D'ASSIMILATION POUR LE FINANCEMENT DES  
PROGRAMMES D'ALF**

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Assimilation Factor/Facteur d'assimilation %
1.	Conseil de district des écoles publiques de langue française n° 59	76
2.	Conseil scolaire de district catholique Centre-Sud	97
3.	Conseil scolaire de district catholique de l'Est ontarien	75
4.	Conseil scolaire de district catholique des Aurores boréales	88
5.	Conseil scolaire de district catholique des Grandes Rivières	75
6.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	84
7.	Conseil scolaire de district catholique du Nouvel-Ontario	75
8.	Conseil scolaire de district catholique Franco-Nord	75
9.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	97
10.	Conseil scolaire de district du Centre Sud-Ouest	97
11.	Conseil scolaire de district du Grand Nord de l'Ontario	75
12.	Conseil scolaire de district du Nord-Est de l'Ontario	75

TABLE/TABLEAU 4

**DEMOGRAPHIC COMPONENT OF FIRST NATION, MÉTIS AND INUIT EDUCATION  
SUPPLEMENT/COMPOSANTE DÉMOGRAPHIQUE DU SUPPLÉMENT POUR L'ÉDUCATION DES PREMIÈRES  
NATIONS, DES MÉTIS ET DES INUITS**

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Estimated percentage of First Nation, Métis and Inuit Student Population/ Pourcentage estimatif d'élèves qui font partie des Premières nations ou sont des Métis ou des Inuits
1.	Algoma District School Board	13.72
2.	Algonquin and Lakeshore Catholic District School Board	5.95
3.	Avon Maitland District School Board	2.08
4.	Bluewater District School Board	4.24
5.	Brant Haldimand Norfolk Catholic District School Board	5.13
6.	Bruce-Grey Catholic District School Board	3.23
7.	Catholic District School Board of Eastern Ontario	5.72
8.	Conseil de district des écoles publiques de langue française n° 59	4.10
9.	Conseil scolaire de district catholique Centre-Sud	3.15
10.	Conseil scolaire de district catholique de l'Est ontarien	5.15
11.	Conseil scolaire de district catholique des Aurores boréales	14.26
12.	Conseil scolaire de district catholique des Grandes Rivières	8.85
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3.85
14.	Conseil scolaire de district catholique du Nouvel-Ontario	9.83
15.	Conseil scolaire de district catholique Franco-Nord	11.51
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3.86
17.	Conseil scolaire de district du Centre Sud-Ouest	3.62
18.	Conseil scolaire de district du Grand Nord de l'Ontario	9.72
19.	Conseil scolaire de district du Nord-Est de l'Ontario	10.01
20.	District School Board of Niagara	3.54
21.	District School Board Ontario North East	9.57
22.	Dufferin-Peel Catholic District School Board	1.25
23.	Durham Catholic District School Board	2.48
24.	Durham District School Board	2.84
25.	English-language Separate District School Board No. 38	3.43
26.	Grand Erie District School Board	4.94
27.	Greater Essex County District School Board	4.13
28.	Halton Catholic District School Board	1.68

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Estimated percentage of First Nation, Métis and Inuit Student Population/ Pourcentage estimatif d'élèves qui font partie des Premières nations ou sont des Métis ou des Inuits
29.	Halton District School Board	1.69
30.	Hamilton-Wentworth Catholic District School Board	3.23
31.	Hamilton-Wentworth District School Board	3.23
32.	Hastings and Prince Edward District School Board	6.85
33.	Huron Perth Catholic District School Board	2.12
34.	Huron-Superior Catholic District School Board	11.96
35.	Kawartha Pine Ridge District School Board	4.30
36.	Keewatin-Patricia District School Board	21.07
37.	Kenora Catholic District School Board	23.22
38.	Lakehead District School Board	12.53
39.	Lambton Kent District School Board	3.93
40.	Limestone District School Board	5.70
41.	Near North District School Board	9.49
42.	Niagara Catholic District School Board	3.79
43.	Nipissing-Parry Sound Catholic District School Board	10.09
44.	Northeastern Catholic District School Board	10.11
45.	Northwest Catholic District School Board	24.13
46.	Ottawa-Carleton District School Board	3.50
47.	Ottawa Catholic District School Board	3.50
48.	Peel District School Board	1.30
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	3.95
50.	Rainbow District School Board	11.78
51.	Rainy River District School Board	19.31
52.	Renfrew County Catholic District School Board	8.32
53.	Renfrew County District School Board	7.60
54.	Simcoe County District School Board	4.67
55.	Simcoe Muskoka Catholic District School Board	5.11
56.	St. Clair Catholic District School Board	4.05
57.	Sudbury Catholic District School Board	8.96
58.	Superior-Greenstone District School Board	11.19
59.	Superior North Catholic District School Board	15.15
60.	Thames Valley District School Board	3.36
61.	Thunder Bay Catholic District School Board	13.12
62.	Toronto Catholic District School Board	1.06
63.	Toronto District School Board	1.06
64.	Trillium Lakelands District School Board	5.20
65.	Upper Canada District School Board	5.88
66.	Upper Grand District School Board	2.80
67.	Waterloo Catholic District School Board	2.90
68.	Waterloo Region District School Board	2.76
69.	Wellington Catholic District School Board	2.63
70.	Windsor-Essex Catholic District School Board	4.08
71.	York Catholic District School Board	0.85
72.	York Region District School Board	1.15

TABLE/TABLEAU 5

LEARNING RESOURCES FOR DISTANT SCHOOLS ALLOCATION/ÉLÉMENT RESSOURCES D'APPRENTISSAGE  
POUR ÉCOLES ÉLOIGNÉES

Item/Point	Column/ Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4	Column/ Colonne 5	Column/ Colonne 6	Column/ Colonne 7
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Distance/ Distance (km)	Learning resources for distant schools allocation/ Ressources d'apprentissage pour écoles éloignées \$
1.	Conseil de district des écoles publiques de langue française n° 59	10394		École secondaire publique le Sommet	Hawkesbury	75.5	376,607
2.	Conseil de district des écoles publiques de langue française n° 59	10575		École s.p. Marc Garneau	Quinte West	90.7	562,658
3.	Conseil scolaire de district catholique des Aurores boréales	10740		École secondaire catholique de La Vérendrye	Thunder Bay	100	559,336
4.	Conseil scolaire de district catholique des Aurores boréales	10768	Immaculée- Conception, E		Ignace	68.9	100,684
5.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10658		Centre Scolaire Catholique Jeanne-Lajoie Secondaire	Pembroke	133.6	411,990
6.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10784	École Catholique Ange-Gabriel Élémentaire		Brockville	40.6	115,805
7.	Conseil scolaire de district catholique du Nouvel-Ontario	10618		École secondaire catholique Jeunesse-Nord	Blind River	97.1	550,265
8.	Conseil scolaire de district catholique du Nouvel-Ontario	10872		É.s. St-Joseph (site temporaire)	Wawa	130.5	227,326
9.	Conseil scolaire de district du Centre Sud- Ouest	10710	Carrefour des Jeunes		Brampton	21.2	51,347
10.	Conseil scolaire de district du Grand Nord de l'Ontario	10634	Villa Française des Jeunes É.p		Elliot Lake	156.7	155,527
11.	Conseil scolaire de district du Grand Nord de l'Ontario	10745	École p. l'Escalade		Wawa	195.8	133,320



Item/Point	Column/ Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4	Column/ Colonne 5	Column/ Colonne 6	Column/ Colonne 7
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Distance/ Distance (km)	Learning resources for distant schools allocation/ Ressources d'apprentissage pour écoles éloignées \$
12.	Huron Perth Catholic District School Board	10765	St. Mary's School		North Perth	33	118,712
13.	Superior North Catholic District School Board	10661	St. Edward Catholic School		Nipigon	19.8	46,487

TABLE/TABLEAU 6

REMOTE AND RURAL ALLOCATION, RURAL AND SMALL COMMUNITY ALLOCATION/ÉLÉMENT CONSEILS  
RURAUX ET ÉLOIGNÉS ET ÉLÉMENT COLLECTIVITÉS RURALES ET DE PETITE TAILLE

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Distance/Distance	Urban Factor/ Facteur urbain	Dispersion Distance in kilometres/ Distance, en kilomètres, liée à la dispersion	Rural and Small Communities Index/Index des collectivités rurales et de petite taille
1.	Algoma District School Board	790 km	0.809	38.63	30.50%
2.	Algonquin and Lakeshore Catholic District School Board	277 km	0.986	24.63	28.50%
3.	Avon Maitland District School Board	< 151 km	1	16.38	78.10%
4.	Bluewater District School Board	177 km	1	21.55	78.60%
5.	Brant Haldimand Norfolk Catholic District School Board	< 151 km	1	13.91	40.40%
6.	Bruce-Grey Catholic District School Board	177 km	1	22.57	67.50%
7.	Catholic District School Board of Eastern Ontario	< 151 km	1	24.49	60.90%
8.	Conseil de district des écoles publiques de langue française n° 59	< 151 km	1	38.75	12.80%
9.	Conseil scolaire de district catholique Centre-Sud	< 151 km	1	37.27	4.20%
10.	Conseil scolaire de district catholique de l'Est ontarien	< 151 km	1	17.32	54.20%
11.	Conseil scolaire de district catholique des Aurores boréales	1745 km	0.727	207.39	46.50%
12.	Conseil scolaire de district catholique des Grandes Rivières	680 km	0.952	49.76	52.90%
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	< 151 km	1	23.39	9.70%
14.	Conseil scolaire de district catholique du Nouvel-Ontario	790 km	0.879	45.27	26.70%
15.	Conseil scolaire de district catholique Franco-Nord	332 km	0.933	23.94	57.20%
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	< 151 km	1	29.78	21.20%
17.	Conseil scolaire de district du Centre Sud- Ouest	< 151 km	1	47.17	0.80%
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1191 km	0.862	140.63	27.10%

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Distance/Distance	Urban Factor/ Facteur urbain	Dispersion Distance in kilometres/ Distance, en kilomètres, liée à la dispersion	Rural and Small Communities Index/Indice des collectivités rurales et de petite taille
19.	Conseil scolaire de district du Nord-Est de l'Ontario	634 km	0.939	149.2	44.70%
20.	District School Board of Niagara	< 151 km	1	6.49	13.50%
21.	District School Board Ontario North East	680 km	0.946	47.28	47.80%
22.	Dufferin-Peel Catholic District School Board	< 151 km	1	4.96	3.70%
23.	Durham Catholic District School Board	< 151 km	1	7.23	5.10%
24.	Durham District School Board	< 151 km	1	5.98	13.20%
25.	English-language Separate District School Board No. 38	< 151 km	1	11.83	11.80%
26.	Grand Erie District School Board	< 151 km	1	10.07	54.90%
27.	Greater Essex County District School Board	< 151 km	1	8.32	21.80%
28.	Halton Catholic District School Board	< 151 km	1	7.35	7.40%
29.	Halton District School Board	< 151 km	1	5.59	7.50%
30.	Hamilton-Wentworth Catholic District School Board	< 151 km	1	4.04	7.30%
31.	Hamilton-Wentworth District School Board	< 151 km	1	3.79	7.30%
32.	Hastings and Prince Edward District School Board	251 km	0.971	15.17	57.00%
33.	Huron Perth Catholic District School Board	< 151 km	1	19.38	58.40%
34.	Huron-Superior Catholic District School Board	790 km	0.777	48.56	19.30%
35.	Kawartha Pine Ridge District School Board	161 km	0.942	14.94	39.40%
36.	Keewatin-Patricia District School Board	1801 km	1	60.12	74.40%
37.	Kenora Catholic District School Board	1855 km	1	3.62	25.50%
38.	Lakehead District School Board	1375 km	0.549	5.77	12.80%
39.	Lambton Kent District School Board	< 151 km	1	16.28	42.50%
40.	Limestone District School Board	235 km	0.717	12.74	43.40%
41.	Near North District School Board	332 km	0.913	25.73	49.60%
42.	Niagara Catholic District School Board	< 151 km	1	8.5	9.20%
43.	Nipissing-Parry Sound Catholic District School Board	332 km	0.913	19.07	23.70%
44.	Northeastern Catholic District School Board	680 km	0.946	71.27	47.60%
45.	Northwest Catholic District School Board	1715 km	1	133.32	100.00%
46.	Ottawa-Carleton District School Board	< 151 km	1	6.11	8.00%
47.	Ottawa Catholic District School Board	< 151 km	1	6.69	8.00%
48.	Peel District School Board	< 151 km	1	4.54	4.00%
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	161 km	0.942	15.91	23.40%
50.	Rainbow District School Board	455 km	0.821	21.21	25.20%
51.	Rainy River District School Board	1630 km	1	40.15	100.00%
52.	Renfrew County Catholic District School Board	< 151 km	1	25.91	54.90%
53.	Renfrew County District School Board	< 151 km	1	21.03	70.00%
54.	Simcoe County District School Board	< 151 km	1	11.3	24.20%
55.	Simcoe Muskoka Catholic District School Board	< 151 km	1	17.09	18.50%
56.	St. Clair Catholic District School Board	< 151 km	1	20.81	34.70%
57.	Sudbury Catholic District School Board	390 km	0.78	15.88	13.80%

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Distance/Distance	Column/Colonne 3 Urban Factor/ Facteur urbain	Column/Colonne 4 Dispersion Distance in kilometres/ Distance, en kilomètres, liée à la dispersion	Column/Colonne 5 Rural and Small Communities Index/Indice des collectivités rurales et de petite taille
58.	Superior-Greenstone District School Board	1440 km	1	71.69	100.00%
59.	Superior North Catholic District School Board	1440 km	1	97.06	100.00%
60.	Thames Valley District School Board	< 151 km	1	9.39	25.50%
61.	Thunder Bay Catholic District School Board	1375 km	0.501	3.64	5.30%
62.	Toronto Catholic District School Board	< 151 km	1	4.47	0.00%
63.	Toronto District School Board	< 151 km	1	3.78	0.00%
64.	Trillium Lakelands District School Board	253 km	1	27.79	87.10%
65.	Upper Canada District School Board	< 151 km	1	22.4	73.50%
66.	Upper Grand District School Board	< 151 km	1	10.65	42.30%
67.	Waterloo Catholic District School Board	< 151 km	1	6.27	3.40%
68.	Waterloo Region District School Board	< 151 km	1	4.96	10.00%
69.	Wellington Catholic District School Board	< 151 km	1	11.37	18.00%
70.	Windsor-Essex Catholic District School Board	< 151 km	1	7.73	15.60%
71.	York Catholic District School Board	< 151 km	1	7.8	4.40%
72.	York Region District School Board	< 151 km	1	6.52	6.20%

TABLE/TABLEAU 7

## LEARNING OPPORTUNITIES ALLOCATION/ÉLÉMENT PROGRAMMES D'AIDE À L'APPRENTISSAGE

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Demographic Component Amount/Montant de l'élément démographique \$	Column/Colonne 3 Student Success, Grades 7-12, Demographic Factor/Réussite des élèves, 7 <sup>e</sup> à 12 <sup>e</sup> année, facteur démographique
1.	Algoma District School Board	2,507,768	0.0097
2.	Algonquin and Lakeshore Catholic District School Board	1,028,493	0.0028
3.	Avon Maitland District School Board	991,976	0.003
4.	Bluewater District School Board	1,333,966	0.0045
5.	Brant Haldimand Norfolk Catholic District School Board	790,348	0.0028
6.	Bruce-Grey Catholic District School Board	171,340	0.0007
7.	Catholic District School Board of Eastern Ontario	840,972	0.0025
8.	Conseil de district des écoles publiques de langue française n° 59	1,503,102	0.0059
9.	Conseil scolaire de district catholique Centre-Sud	1,473,536	0.0036
10.	Conseil scolaire de district catholique de l'Est ontarien	1,293,413	0.004
11.	Conseil scolaire de district catholique des Aurores boréales	171,220	0.0003
12.	Conseil scolaire de district catholique des Grandes Rivières	1,794,572	0.0054
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	2,470,269	0.0089
14.	Conseil scolaire de district catholique du Nouvel-Ontario	1,301,758	0.0042
15.	Conseil scolaire de district catholique Franco-Nord	631,795	0.002
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	459,120	0.0012
17.	Conseil scolaire de district du Centre Sud-Ouest	1,235,551	0.0038
18.	Conseil scolaire de district du Grand Nord de l'Ontario	204,097	0.001
19.	Conseil scolaire de district du Nord-Est de l'Ontario	198,582	0.001
20.	District School Board of Niagara	4,023,503	0.0143
21.	District School Board Ontario North East	1,365,057	0.0043
22.	Dufferin-Peel Catholic District School Board	12,308,675	0.0204
23.	Durham Catholic District School Board	834,922	0.001
24.	Durham District School Board	2,829,353	0.0087



Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Name of Board/Nom du conseil	Demographic Component Amount/Montant de l'élément démographique \$	Student Success, Grades 7-12, Demographic Factor/Réussite des élèves, 7 <sup>e</sup> à 12 <sup>e</sup> année, facteur démographique
25.	English-language Separate District School Board No. 38	3,156,231	0.0035
26.	Grand Erie District School Board	2,604,170	0.0097
27.	Greater Essex County District School Board	5,415,361	0.0151
28.	Halton Catholic District School Board	416,252	0.0008
29.	Halton District School Board	709,977	0.0008
30.	Hamilton-Wentworth Catholic District School Board	4,505,017	0.0134
31.	Hamilton-Wentworth District School Board	11,293,970	0.0419
32.	Hastings and Prince Edward District School Board	2,182,180	0.012
33.	Huron Perth Catholic District School Board	138,397	0.0004
34.	Huron-Superior Catholic District School Board	1,177,544	0.0041
35.	Kawartha Pine Ridge District School Board	2,007,486	0.0093
36.	Keewatin-Patricia District School Board	737,551	0.0028
37.	Kenora Catholic District School Board	121,129	0.0005
38.	Lakehead District School Board	1,819,863	0.0065
39.	Lambton Kent District School Board	1,480,439	0.0077
40.	Limestone District School Board	1,903,191	0.0068
41.	Near North District School Board	1,959,989	0.0071
42.	Niagara Catholic District School Board	1,729,032	0.0049
43.	Nipissing-Parry Sound Catholic District School Board	474,400	0.002
44.	Northeastern Catholic District School Board	474,004	0.0013
45.	Northwest Catholic District School Board	104,360	0.0005
46.	Ottawa-Carleton District School Board	13,185,759	0.0413
47.	Ottawa Catholic District School Board	5,901,525	0.0177
48.	Peel District School Board	17,151,015	0.0333
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	553,447	0.0018
50.	Rainbow District School Board	1,914,661	0.0084
51.	Rainy River District School Board	450,283	0.0026
52.	Renfrew County Catholic District School Board	452,564	0.0024
53.	Renfrew County District School Board	706,785	0.0032
54.	Simcoe County District School Board	1,589,957	0.0084
55.	Simcoe Muskoka Catholic District School Board	443,371	0.0027
56.	St. Clair Catholic District School Board	588,312	0.0022
57.	Sudbury Catholic District School Board	961,556	0.0039
58.	Superior-Greenstone District School Board	456,264	0.0012
59.	Superior North Catholic District School Board	148,656	0.0004
60.	Thames Valley District School Board	8,619,548	0.0246
61.	Thunder Bay Catholic District School Board	873,297	0.0033
62.	Toronto Catholic District School Board	44,293,740	0.1261
63.	Toronto District School Board	120,406,701	0.3807
64.	Trillium Lakelands District School Board	745,259	0.0045
65.	Upper Canada District School Board	1,641,497	0.0065
66.	Upper Grand District School Board	1,313,778	0.003
67.	Waterloo Catholic District School Board	2,028,535	0.0041
68.	Waterloo Region District School Board	5,547,595	0.0138
69.	Wellington Catholic District School Board	393,757	0.0008
70.	Windsor-Essex Catholic District School Board	3,570,519	0.0089
71.	York Catholic District School Board	4,497,770	0.0093
72.	York Region District School Board	9,899,925	0.0182

TABLE/TABLEAU 8  
SAFE SCHOOLS ALLOCATION/ÉLÉMENT SÉCURITÉ DANS LES ÉCOLES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Weighted Per-Pupil Amount for Programs and Supports Component/ Somme pondérée par élève au titre du volet programmes et soutiens \$	Column/Colonne 3 Weighted Per-Pupil Amount for Professional Staff Support Component/ Somme pondérée par élève au titre du volet soutien professionnel \$
1.	Algoma District School Board	3.70	1.69
2.	Algonquin and Lakeshore Catholic District School Board	2.55	1.16
3.	Avon Maitland District School Board	1.66	0.75
4.	Bluewater District School Board	2.04	0.93
5.	Brant Haldimand Norfolk Catholic District School Board	2.32	1.06
6.	Bruce-Grey Catholic District School Board	1.94	0.88
7.	Catholic District School Board of Eastern Ontario	2.47	1.13
8.	Conseil de district des écoles publiques de langue française n° 59	2.45	1.12
9.	Conseil scolaire de district catholique Centre-Sud	2.37	1.08
10.	Conseil scolaire de district catholique de l'Est ontarien	2.33	1.06
11.	Conseil scolaire de district catholique des Aurores boréales	3.60	1.64
12.	Conseil scolaire de district catholique des Grandes Rivières	2.82	1.29
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	2.39	1.09
14.	Conseil scolaire de district catholique du Nouvel-Ontario	3.04	1.39
15.	Conseil scolaire de district catholique Franco-Nord	3.37	1.54
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	2.19	1.00
17.	Conseil scolaire de district du Centre Sud-Ouest	2.83	1.29
18.	Conseil scolaire de district du Grand Nord de l'Ontario	3.02	1.38
19.	Conseil scolaire de district du Nord-Est de l'Ontario	3.09	1.41
20.	District School Board of Niagara	2.11	0.96
21.	District School Board Ontario North East	3.07	1.40
22.	Dufferin-Peel Catholic District School Board	2.20	1.01
23.	Durham Catholic District School Board	1.71	0.78
24.	Durham District School Board	1.79	0.81
25.	English-language Separate District School Board No. 38	2.27	1.04
26.	Grand Erie District School Board	2.20	1.00
27.	Greater Essex County District School Board	2.54	1.16
28.	Halton Catholic District School Board	1.41	0.64
29.	Halton District School Board	1.42	0.65
30.	Hamilton-Wentworth Catholic District School Board	2.56	1.17
31.	Hamilton-Wentworth District School Board	2.56	1.17
32.	Hastings and Prince Edward District School Board	2.62	1.19
33.	Huron Perth Catholic District School Board	1.71	0.78
34.	Huron-Superior Catholic District School Board	3.46	1.58
35.	Kawartha Pine Ridge District School Board	1.98	0.90
36.	Keewatin-Patricia District School Board	4.52	2.06
37.	Kenora Catholic District School Board	4.82	2.20
38.	Lakehead District School Board	3.40	1.55
39.	Lambton Kent District School Board	2.06	0.94
40.	Limestone District School Board	2.41	1.10
41.	Near North District School Board	3.09	1.41
42.	Niagara Catholic District School Board	2.21	1.01
43.	Nipissing-Parry Sound Catholic District School Board	3.13	1.43
44.	Northeastern Catholic District School Board	3.21	1.46
45.	Northwest Catholic District School Board	5.16	2.35
46.	Ottawa-Carleton District School Board	2.35	1.07
47.	Ottawa Catholic District School Board	2.35	1.07
48.	Peel District School Board	2.19	1.00
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2.01	0.91
50.	Rainbow District School Board	3.32	1.52



Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Name of Board/Nom du conseil	Weighted Per-Pupil Amount for Programs and Supports Component/ Somme pondérée par élève au titre du volet programmes et soutiens \$	Weighted Per-Pupil Amount for Professional Staff Support Component/ Somme pondérée par élève au titre du volet soutien professionnel \$
51.	Rainy River District School Board	4.47	2.04
52.	Renfrew County Catholic District School Board	2.92	1.33
53.	Renfrew County District School Board	2.63	1.20
54.	Simcoe County District School Board	2.10	0.96
55.	Simcoe Muskoka Catholic District School Board	2.19	1.00
56.	St. Clair Catholic District School Board	2.11	0.96
57.	Sudbury Catholic District School Board	2.90	1.32
58.	Superior-Greenstone District School Board	2.99	1.36
59.	Superior North Catholic District School Board	3.45	1.57
60.	Thames Valley District School Board	2.18	0.99
61.	Thunder Bay Catholic District School Board	3.56	1.62
62.	Toronto Catholic District School Board	3.31	1.51
63.	Toronto District School Board	3.31	1.51
64.	Trillium Lakelands District School Board	2.12	0.97
65.	Upper Canada District School Board	2.43	1.11
66.	Upper Grand District School Board	1.72	0.78
67.	Waterloo Catholic District School Board	2.16	0.98
68.	Waterloo Region District School Board	2.07	0.94
69.	Wellington Catholic District School Board	1.82	0.83
70.	Windsor-Essex Catholic District School Board	2.51	1.14
71.	York Catholic District School Board	1.68	0.76
72.	York Region District School Board	1.81	0.83

TABLE/TABLEAU 9

## TEACHER QUALIFICATION AND EXPERIENCE/COMPÉTENCE ET EXPÉRIENCE DES ENSEIGNANTS

Full years of teaching experience/Années complètes d'expérience en enseignement	Qualification Categories/Catégories de qualification						
	D	C	B	A1/group 1 A1/groupe 1	A2/group 2 A2/groupe 2	A3/group 3 A3/groupe 3	A4/group 4 A4/groupe 4
0	0.5825	0.5825	0.5825	0.6178	0.6478	0.7034	0.7427
1	0.6185	0.6185	0.6185	0.6557	0.6882	0.7487	0.7898
2	0.6562	0.6562	0.6562	0.6958	0.7308	0.7960	0.8397
3	0.6941	0.6941	0.6941	0.7359	0.7729	0.8433	0.8897
4	0.7335	0.7335	0.7335	0.7772	0.8165	0.8916	0.9418
5	0.7725	0.7725	0.7725	0.8185	0.8600	0.9398	0.9932
6	0.8104	0.8104	0.8104	0.8599	0.9035	0.9881	1.0453
7	0.8502	0.8502	0.8502	0.9013	0.9475	1.0367	1.0973
8	0.8908	0.8908	0.8908	0.9435	0.9919	1.0856	1.1500
9	0.9315	0.9315	0.9315	0.9856	1.0356	1.1344	1.2025
10	1.0187	1.0187	1.0187	1.0438	1.0999	1.2166	1.2982

TABLE/TABLEAU 10

## COST ADJUSTMENT AMOUNT FOR NON-TEACHERS/SOMME LIÉE AU REDRESSEMENT DES COÛTS POUR LE PERSONNEL NON ENSEIGNANT

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	78,747
2.	Algonquin and Lakeshore Catholic District School Board	82,667
3.	Avon Maitland District School Board	41,535
4.	Bluewater District School Board	108,410
5.	Brant Haldimand Norfolk Catholic District School Board	44,689



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
6.	Bruce-Grey Catholic District School Board	8,255
7.	Catholic District School Board of Eastern Ontario	92,516
8.	Conseil de district des écoles publiques de langue française n° 59	191,014
9.	Conseil scolaire de district catholique Centre-Sud	123,290
10.	Conseil scolaire de district catholique de l'Est ontarien	85,031
11.	Conseil scolaire de district catholique des Aurores boréales	22,540
12.	Conseil scolaire de district catholique des Grandes Rivières	58,721
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	143,661
14.	Conseil scolaire de district catholique du Nouvel-Ontario	157,338
15.	Conseil scolaire de district catholique Franco-Nord	64,302
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	68,511
17.	Conseil scolaire de district du Centre Sud-Ouest	104,085
18.	Conseil scolaire de district du Grand Nord de l'Ontario	43,409
19.	Conseil scolaire de district du Nord-Est de l'Ontario	32,888
20.	District School Board of Niagara	83,203
21.	District School Board Ontario North East	98,123
22.	Dufferin-Peel Catholic District School Board	912,533
23.	Durham Catholic District School Board	91,121
24.	Durham District School Board	260,166
25.	English-language Separate District School Board No. 38	216,616
26.	Grand Erie District School Board	98,124
27.	Greater Essex County District School Board	121,337
28.	Halton Catholic District School Board	63,708
29.	Halton District School Board	138,762
30.	Hamilton-Wentworth Catholic District School Board	120,764
31.	Hamilton-Wentworth District School Board	139,006
32.	Hastings and Prince Edward District School Board	97,546
33.	Huron Perth Catholic District School Board	27,126
34.	Huron-Superior Catholic District School Board	66,370
35.	Kawartha Pine Ridge District School Board	136,022
36.	Keewatin-Patricia District School Board	74,629
37.	Kenora Catholic District School Board	31,719
38.	Lakehead District School Board	292,517
39.	Lambton Kent District School Board	89,526
40.	Limestone District School Board	84,687
41.	Near North District School Board	106,206
42.	Niagara Catholic District School Board	101,914
43.	Nipissing-Parry Sound Catholic District School Board	52,037
44.	Northeastern Catholic District School Board	42,202
45.	Northwest Catholic District School Board	18,678
46.	Ottawa-Carleton District School Board	397,158
47.	Ottawa Catholic District School Board	415,610
48.	Peel District School Board	895,104
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	81,321
50.	Rainbow District School Board	121,468
51.	Rainy River District School Board	50,713
52.	Renfrew County Catholic District School Board	29,538
53.	Renfrew County District School Board	31,281
54.	Simcoe County District School Board	157,546
55.	Simcoe Muskoka Catholic District School Board	138,393
56.	St. Clair Catholic District School Board	90,809
57.	Sudbury Catholic District School Board	102,133
58.	Superior-Greenstone District School Board	57,541
59.	Superior North Catholic District School Board	12,307
60.	Thames Valley District School Board	227,471
61.	Thunder Bay Catholic District School Board	50,709
62.	Toronto Catholic District School Board	576,920
63.	Toronto District School Board	4,509,680
64.	Trillium Lakelands District School Board	64,668

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
65.	Upper Canada District School Board	138,484
66.	Upper Grand District School Board	194,056
67.	Waterloo Catholic District School Board	66,058
68.	Waterloo Region District School Board	238,255
69.	Wellington Catholic District School Board	25,339
70.	Windsor-Essex Catholic District School Board	234,109
71.	York Catholic District School Board	274,225
72.	York Region District School Board	520,752

TABLE/TABLEAU 11

## CHANGES TO DISTANT SCHOOLS/RAJUSTEMENTS POUR ÉCOLES ÉLOIGNÉES

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Elementary Top Up Allocation for School Operations/Somme complémentaire liée au fonctionnement des écoles élémentaires \$	Secondary Top Up Allocation for School Operations/Somme complémentaire liée au fonctionnement des écoles secondaires \$	Elementary Top Up for School Renewal/Somme complémentaire liée à la réfection des écoles élémentaires \$	Secondary Top Up for School Renewal/Somme complémentaire liée à la réfection des écoles secondaires \$
1.	Conseil de district des écoles publiques de langue française n° 59		-59,906		-9,949
2.	Conseil scolaire de district catholique de l'Est ontarien		-26,194		-4,621
3.	Conseil scolaire de district catholique des Aurores boréales	-5,511	0	-972	0
4.	Conseil scolaire de district catholique des Grandes Rivières	-76,936	-58,762	-13,571	-10,325
5.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	-94,529	-5,752	-15,609	-924
6.	Conseil scolaire de district catholique du Nouvel-Ontario	0	-76,268	0	-13,454
7.	Conseil scolaire de district du Grand Nord de l'Ontario	17,260	0	2,912	0
8.	District School Board Ontario North East	-51,518	0	-8,912	0
9.	Huron Perth Catholic District School Board	-16,103	0	-2,840	0
10.	Keewatin-Patricia District School Board	-41,044	0	-6,896	0
11.	Lakehead District School Board	-21,190	0	-3,694	0
12.	Limestone District School Board	-34,681	0	-6,011	0
13.	Renfrew County District School Board	-15,804	0	-2,729	0
14.	St. Clair Catholic District School Board	-5,576	0	-935	0
15.	Upper Canada District School Board	-25,701	0	-4,394	0
16.	Windsor-Essex Catholic District School Board	8,862	0	1,533	0

TABLE/TABLEAU 12

AMOUNT FOR RENEWAL SOFTWARE LICENSING FEES/SOMME LIÉE AU RENOUVELLEMENT DES PERMIS  
D'UTILISATION DE LOGICIELS

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Allocation for Renewal Software Licensing Fee/Somme liée au renouvellement des permis d'utilisation de logiciels \$
1.	Algoma District School Board	14,728
2.	Algonquin and Lakeshore Catholic District School Board	9,044
3.	Avon Maitland District School Board	17,425
4.	Bluewater District School Board	17,821
5.	Brant Haldimand Norfolk Catholic District School Board	6,163
6.	Bruce-Grey Catholic District School Board	2,911
7.	Catholic District School Board of Eastern Ontario	8,231
8.	Conseil de district des écoles publiques de langue française n° 59	7,490
9.	Conseil scolaire de district catholique Centre-Sud	10,442
10.	Conseil scolaire de district catholique de l'Est ontarien	12,139
11.	Conseil scolaire de district catholique des Aurores boréales	620
12.	Conseil scolaire de district catholique des Grandes Rivières	10,862
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	13,818
14.	Conseil scolaire de district catholique du Nouvel-Ontario	8,688
15.	Conseil scolaire de district catholique Franco-Nord	5,152
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	6,123
17.	Conseil scolaire de district du Centre Sud-Ouest	9,229
18.	Conseil scolaire de district du Grand Nord de l'Ontario	3,845
19.	Conseil scolaire de district du Nord-Est de l'Ontario	853
20.	District School Board of Niagara	41,051
21.	District School Board Ontario North East	13,417
22.	Dufferin-Peel Catholic District School Board	41,028
23.	Durham Catholic District School Board	13,056
24.	Durham District School Board	37,502
25.	English-language Separate District School Board No. 38	13,545
26.	Grand Erie District School Board	25,152
27.	Greater Essex County District School Board	30,236
28.	Halton Catholic District School Board	12,968
29.	Halton District School Board	33,538
30.	Hamilton-Wentworth Catholic District School Board	20,354
31.	Hamilton-Wentworth District School Board	48,493
32.	Hastings and Prince Edward District School Board	16,342
33.	Huron Perth Catholic District School Board	2,853
34.	Huron-Superior Catholic District School Board	5,747
35.	Kawartha Pine Ridge District School Board	28,719
36.	Keewatin-Patricia District School Board	5,898
37.	Kenora Catholic District School Board	891
38.	Lakehead District School Board	12,468
39.	Lambton Kent District School Board	24,263
40.	Limestone District School Board	19,543
41.	Near North District School Board	11,892
42.	Niagara Catholic District School Board	14,962
43.	Nipissing-Parry Sound Catholic District School Board	3,826
44.	Northeastern Catholic District School Board	2,648
45.	Northwest Catholic District School Board	868
46.	Ottawa-Carleton District School Board	65,947
47.	Ottawa Catholic District School Board	27,130
48.	Peel District School Board	68,019
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	8,908
50.	Rainbow District School Board	17,507
51.	Rainy River District School Board	4,236
52.	Renfrew County Catholic District School Board	4,330
53.	Renfrew County District School Board	12,414



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Allocation for Renewal Software Licensing Fee/Somme liée au renouvellement des permis d'utilisation de logiciels \$
54.	Simcoe County District School Board	32,760
55.	Simcoe Muskoka Catholic District School Board	11,450
56.	St. Clair Catholic District School Board	9,304
57.	Sudbury Catholic District School Board	7,314
58.	Superior-Greenstone District School Board	4,165
59.	Superior North Catholic District School Board	1,164
60.	Thames Valley District School Board	64,853
61.	Thunder Bay Catholic District School Board	5,534
62.	Toronto Catholic District School Board	71,015
63.	Toronto District School Board	284,436
64.	Trillium Lakelands District School Board	15,018
65.	Upper Canada District School Board	29,960
66.	Upper Grand District School Board	21,000
67.	Waterloo Catholic District School Board	14,178
68.	Waterloo Region District School Board	38,590
69.	Wellington Catholic District School Board	4,534
70.	Windsor-Essex Catholic District School Board	17,122
71.	York Catholic District School Board	27,574
72.	York Region District School Board	51,553

TABLE/TABLEAU 13  
COMMUNITY USE OF SCHOOLS OPERATIONS AMOUNT/SOMME LIÉE AU FONCTIONNEMENT DE  
L'UTILISATION COMMUNAUTAIRE DES ÉCOLES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
1.	Algoma District School Board	185,771
2.	Algonquin and Lakeshore Catholic District School Board	159,008
3.	Avon Maitland District School Board	248,487
4.	Bluewater District School Board	263,741
5.	Brant Haldimand Norfolk Catholic District School Board	146,014
6.	Bruce-Grey Catholic District School Board	46,114
7.	Catholic District School Board of Eastern Ontario	163,726
8.	Conseil de district des écoles publiques de langue française n° 59	167,256
9.	Conseil scolaire de district catholique Centre-Sud	173,272
10.	Conseil scolaire de district catholique de l'Est ontarien	179,135
11.	Conseil scolaire de district catholique des Aurores boréales	17,439
12.	Conseil scolaire de district catholique des Grandes Rivières	144,763
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	246,801
14.	Conseil scolaire de district catholique du Nouvel-Ontario	122,651
15.	Conseil scolaire de district catholique Franco-Nord	65,450
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	102,323
17.	Conseil scolaire de district du Centre Sud-Ouest	134,989
18.	Conseil scolaire de district du Grand Nord de l'Ontario	59,032
19.	Conseil scolaire de district du Nord-Est de l'Ontario	25,944
20.	District School Board of Niagara	543,715
21.	District School Board Ontario North East	172,292
22.	Dufferin-Peel Catholic District School Board	1,130,633
23.	Durham Catholic District School Board	288,818
24.	Durham District School Board	821,552
25.	English-language Separate District School Board No. 38	264,847
26.	Grand Erie District School Board	364,528
27.	Greater Essex County District School Board	463,147
28.	Halton Catholic District School Board	327,329
29.	Halton District School Board	586,003
30.	Hamilton-Wentworth Catholic District School Board	360,066
31.	Hamilton-Wentworth District School Board	660,907
32.	Hastings and Prince Edward District School Board	240,083

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
33.	Huron Perth Catholic District School Board	55,472
34.	Huron-Superior Catholic District School Board	80,687
35.	Kawartha Pine Ridge District School Board	435,037
36.	Keewatin-Patricia District School Board	92,880
37.	Kenora Catholic District School Board	14,881
38.	Lakehead District School Board	142,203
39.	Lambton Kent District School Board	341,269
40.	Limestone District School Board	298,814
41.	Near North District School Board	172,464
42.	Niagara Catholic District School Board	293,332
43.	Nipissing-Parry Sound Catholic District School Board	53,467
44.	Northeastern Catholic District School Board	38,764
45.	Northwest Catholic District School Board	13,287
46.	Ottawa Catholic District School Board	543,488
47.	Ottawa-Carleton District School Board	965,131
48.	Peel District School Board	1,808,716
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	194,592
50.	Rainbow District School Board	220,914
51.	Rainy River District School Board	47,897
52.	Renfrew County Catholic District School Board	68,447
53.	Renfrew County District School Board	155,257
54.	Simcoe County District School Board	616,190
55.	Simcoe Muskoka Catholic District School Board	268,681
56.	St. Clair Catholic District School Board	130,312
57.	Sudbury Catholic District School Board	94,688
58.	Superior North Catholic District School Board	19,753
59.	Superior-Greenstone District School Board	57,637
60.	Thames Valley District School Board	918,821
61.	Thunder Bay Catholic District School Board	95,947
62.	Toronto Catholic District School Board	1,105,311
63.	Toronto District School Board	3,813,127
64.	Trillium Lakelands District School Board	245,147
65.	Upper Canada District School Board	452,131
66.	Upper Grand District School Board	384,951
67.	Waterloo Catholic District School Board	279,633
68.	Waterloo Region District School Board	685,566
69.	Wellington Catholic District School Board	98,566
70.	Windsor-Essex Catholic District School Board	296,385
71.	York Catholic District School Board	672,354
72.	York Region District School Board	1,351,970

TABLE/TABLEAU 14

PERCENTAGE OF TOTAL AREA OF ELEMENTARY AND SECONDARY SCHOOLS LESS THAN 20 YEARS OLD  
OR 20 YEARS OR OLDER/POURCENTAGE DE LA SUPERFICIE TOTALE DES ÉCOLES ÉLÉMENTAIRES ET  
SECONDAIRES QUI DATENT DE MOINS DE 20 ANS OU DE 20 ANS OU PLUS

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 % of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	Column/Colonne 3 % of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	Column/Colonne 4 % of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	Column/Colonne 5 % of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
1.	Algoma District School Board	3.85%	96.15%	0.00%	100.00%
2.	Algonquin and Lakeshore Catholic District School Board	14.50%	85.50%	57.79%	42.21%
3.	Avon Maitland District School Board	5.97%	94.03%	0.00%	100.00%
4.	Bluewater District School Board	5.84%	94.16%	11.49%	88.51%



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	% of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	% of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	% of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	% of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
5.	Brant Haldimand Norfolk Catholic District School Board	14.06%	85.94%	50.00%	50.00%
6.	Bruce-Grey Catholic District School Board	27.36%	72.64%	0.00%	100.00%
7.	Catholic District School Board of Eastern Ontario	27.22%	72.78%	80.15%	19.85%
8.	Conseil de district des écoles publiques de langue française n° 59	39.90%	60.10%	14.24%	85.76%
9.	Conseil scolaire de district catholique Centre-Sud	48.01%	51.99%	46.63%	53.37%
10.	Conseil scolaire de district catholique de l'Est ontarien	10.89%	89.11%	0.00%	100.00%
11.	Conseil scolaire de district catholique des Aurores boréales	0.00%	100.00%	0.00%	100.00%
12.	Conseil scolaire de district catholique des Grandes Rivières	0.00%	100.00%	0.93%	99.07%
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	19.03%	80.97%	26.73%	73.27%
14.	Conseil scolaire de district catholique du Nouvel-Ontario	3.52%	96.48%	0.00%	100.00%
15.	Conseil scolaire de district catholique Franco-Nord	0.00%	100.00%	0.00%	100.00%
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	31.06%	68.94%	14.33%	85.67%
17.	Conseil scolaire de district du Centre Sud-Ouest	8.12%	91.88%	7.00%	93.00%
18.	Conseil scolaire de district du Grand Nord de l'Ontario	12.95%	87.05%	8.22%	91.78%
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0.00%	100.00%	0.00%	100.00%
20.	District School Board of Niagara	4.96%	95.04%	0.71%	99.29%
21.	District School Board Ontario North East	5.71%	94.29%	0.00%	100.00%
22.	Dufferin-Peel Catholic District School Board	56.10%	43.90%	74.75%	25.25%
23.	Durham Catholic District School Board	55.92%	44.08%	77.52%	22.48%
24.	Durham District School Board	39.36%	60.64%	15.07%	84.93%
25.	English-language Separate District School Board No. 38	9.38%	90.62%	64.35%	35.65%
26.	Grand Erie District School Board	5.20%	94.80%	6.33%	93.67%
27.	Greater Essex County District School Board	4.96%	95.04%	0.00%	100.00%
28.	Halton Catholic District School Board	38.04%	61.96%	57.50%	42.50%
29.	Halton District School Board	14.37%	85.63%	13.40%	86.60%
30.	Hamilton-Wentworth Catholic District School Board	17.77%	82.23%	67.39%	32.61%
31.	Hamilton-Wentworth District School Board	7.76%	92.24%	9.08%	90.92%
32.	Hastings and Prince Edward District School Board	3.10%	96.90%	0.00%	100.00%
33.	Huron Perth Catholic District School Board	0.00%	100.00%	100.00%	0.00%
34.	Huron-Superior Catholic District School Board	0.00%	100.00%	0.00%	100.00%



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	% of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	% of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	% of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	% of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
35.	Kawartha Pine Ridge District School Board	17.29%	82.71%	0.00%	100.00%
36.	Keewatin-Patricia District School Board	14.24%	85.76%	0.00%	100.00%
37.	Kenora Catholic District School Board	14.24%	85.76%	100.00%	0.00%
38.	Lakehead District School Board	3.57%	96.43%	0.00%	100.00%
39.	Lambton Kent District School Board	2.31%	97.69%	0.00%	100.00%
40.	Limestone District School Board	5.13%	94.87%	0.33%	99.67%
41.	Near North District School Board	15.26%	84.74%	0.89%	99.11%
42.	Niagara Catholic District School Board	5.60%	94.40%	0.00%	100.00%
43.	Nipissing-Parry Sound Catholic District School Board	8.35%	91.65%	0.00%	100.00%
44.	Northeastern Catholic District School Board	6.35%	93.65%	0.00%	100.00%
45.	Northwest Catholic District School Board	32.66%	67.34%	0.00%	0.00%
46.	Ottawa-Carleton District School Board	19.51%	80.49%	7.42%	92.58%
47.	Ottawa Catholic District School Board	26.08%	73.92%	28.35%	71.65%
48.	Peel District School Board	31.52%	68.48%	14.63%	85.37%
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	40.72%	59.28%	100.00%	0.00%
50.	Rainbow District School Board	6.15%	93.85%	0.00%	100.00%
51.	Rainy River District School Board	7.46%	92.54%	0.00%	100.00%
52.	Renfrew County Catholic District School Board	0.00%	100.00%	36.32%	63.68%
53.	Renfrew County District School Board	6.41%	93.59%	0.00%	100.00%
54.	Simcoe County District School Board	20.09%	79.91%	0.00%	100.00%
55.	Simcoe Muskoka Catholic District School Board	64.54%	35.46%	100.00%	0.00%
56.	St. Clair Catholic District School Board	14.81%	85.19%	30.44%	69.56%
57.	Sudbury Catholic District School Board	0.00%	100.00%	26.36%	73.64%
58.	Superior North Catholic District School Board	10.53%	89.47%	0.00%	0.00%
59.	Superior-Greenstone District School Board	42.92%	57.08%	31.38%	68.62%
60.	Thames Valley District School Board	9.00%	91.00%	0.00%	100.00%
61.	Thunder Bay Catholic District School Board	6.83%	93.17%	0.00%	100.00%
62.	Toronto Catholic District School Board	10.50%	89.50%	19.59%	80.41%
63.	Toronto District School Board	7.98%	92.02%	2.07%	97.93%
64.	Trillium Lakelands District School Board	19.34%	80.66%	0.00%	100.00%
65.	Upper Canada District School Board	9.19%	90.81%	3.04%	96.96%
66.	Upper Grand District School Board	20.97%	79.03%	8.51%	91.49%
67.	Waterloo Catholic District School Board	31.21%	68.79%	41.56%	58.44%

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	% of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	% of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	% of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	% of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
68.	Waterloo Region District School Board	20.08%	79.92%	5.03%	94.97%
69.	Wellington Catholic District School Board	26.99%	73.01%	13.53%	86.47%
70.	Windsor-Essex Catholic District School Board	2.74%	97.26%	25.66%	74.34%
71.	York Catholic District School Board	65.29%	34.71%	85.24%	14.76%
72.	York Region District School Board	49.26%	50.74%	38.75%	61.25%

TABLE/TABLEAU 15

## SCHOOL RENEWAL ENHANCEMENT AMOUNT/AUGMENTATION AU TITRE DE LA RÉFECTION DES ÉCOLES

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	610,342
2.	Algonquin and Lakeshore Catholic District School Board	316,877
3.	Avon Maitland District School Board	613,151
4.	Bluewater District School Board	569,744
5.	Brant Haldimand Norfolk Catholic District School Board	200,000
6.	Bruce-Grey Catholic District School Board	200,000
7.	Catholic District School Board of Eastern Ontario	206,455
8.	Conseil de district des écoles publiques de langue française n° 59	224,712
9.	Conseil scolaire de district catholique Centre-Sud	230,648
10.	Conseil scolaire de district catholique de l'Est ontarien	688,004
11.	Conseil scolaire de district catholique des Aurores boréales	200,000
12.	Conseil scolaire de district catholique des Grandes Rivières	642,303
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	654,625
14.	Conseil scolaire de district catholique du Nouvel-Ontario	298,186
15.	Conseil scolaire de district catholique Franco-Nord	278,201
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	210,185
17.	Conseil scolaire de district du Centre Sud-Ouest	445,205
18.	Conseil scolaire de district du Grand Nord de l'Ontario	200,000
19.	Conseil scolaire de district du Nord-Est de l'Ontario	200,000
20.	District School Board of Niagara	1,611,150
21.	District School Board Ontario North East	296,769
22.	Dufferin-Peel Catholic District School Board	730,538
23.	Durham Catholic District School Board	258,352
24.	Durham District School Board	825,035
25.	English-language Separate District School Board No. 38	627,292
26.	Grand Erie District School Board	1,427,656
27.	Greater Essex County District School Board	885,318
28.	Halton Catholic District School Board	200,000
29.	Halton District School Board	1,133,536
30.	Hamilton-Wentworth Catholic District School Board	538,288
31.	Hamilton-Wentworth District School Board	1,480,155
32.	Hastings and Prince Edward District School Board	747,191
33.	Huron Perth Catholic District School Board	200,000
34.	Huron-Superior Catholic District School Board	200,000
35.	Kawartha Pine Ridge District School Board	1,185,432
36.	Keewatin-Patricia District School Board	200,000
37.	Kenora Catholic District School Board	200,000
38.	Lakehead District School Board	425,735
39.	Lambton Kent District School Board	720,778



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
40.	Limestone District School Board	784,094
41.	Near North District School Board	412,926
42.	Niagara Catholic District School Board	717,296
43.	Nipissing-Parry Sound Catholic District School Board	200,000
44.	Northeastern Catholic District School Board	200,000
45.	Northwest Catholic District School Board	200,000
46.	Ottawa-Carleton District School Board	2,744,424
47.	Ottawa Catholic District School Board	855,428
48.	Peel District School Board	1,934,039
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	200,000
50.	Rainbow District School Board	424,825
51.	Rainy River District School Board	200,000
52.	Renfrew County Catholic District School Board	200,000
53.	Renfrew County District School Board	673,097
54.	Simcoe County District School Board	876,164
55.	Simcoe Muskoka Catholic District School Board	221,824
56.	St. Clair Catholic District School Board	200,000
57.	Sudbury Catholic District School Board	200,000
58.	Superior-Greenstone District School Board	200,000
59.	Superior North Catholic District School Board	200,000
60.	Thames Valley District School Board	937,238
61.	Thunder Bay Catholic District School Board	200,000
62.	Toronto Catholic District School Board	3,519,937
63.	Toronto District School Board	4,724,847
64.	Trillium Lakelands District School Board	229,255
65.	Upper Canada District School Board	2,055,456
66.	Upper Grand District School Board	1,187,308
67.	Waterloo Catholic District School Board	564,787
68.	Waterloo Region District School Board	1,262,811
69.	Wellington Catholic District School Board	200,000
70.	Windsor-Essex Catholic District School Board	408,943
71.	York Catholic District School Board	322,699
72.	York Region District School Board	1,804,956

TABLE/TABLEAU 16  
GEOGRAPHIC ADJUSTMENT FACTORS/FACTEURS DE REDRESSEMENT GÉOGRAPHIQUE

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 1998 Geographic Adjustment Factor/Facteur de redressement géographique de 1998	Column/Colonne 3 2005 Geographic Adjustment Factor/Facteur de redressement géographique de 2005
1.	Algoma District School Board	1.106	1.150
2.	Algonquin and Lakeshore Catholic District School Board	1.032	0.980
3.	Avon Maitland District School Board	1.010	1.000
4.	Bluewater District School Board	1.007	1.010
5.	Brant Haldimand Norfolk Catholic District School Board	1.000	0.980
6.	Bruce-Grey Catholic District School Board	1.007	1.010
7.	Catholic District School Board of Eastern Ontario	1.000	0.980
8.	Conseil de district des écoles publiques de langue française n° 59	1.000	0.960
9.	Conseil scolaire de district catholique Centre-Sud	1.000	0.980
10.	Conseil scolaire de district catholique de l'Est ontarien	1.000	1.010
11.	Conseil scolaire de district catholique des Aurores boréales	1.100	1.340
12.	Conseil scolaire de district catholique des Grandes Rivières	1.123	1.300
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	1.000	0.960
14.	Conseil scolaire de district catholique du Nouvel-Ontario	1.118	1.190
15.	Conseil scolaire de district catholique Franco-Nord	1.043	1.150
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	1.000	0.970
17.	Conseil scolaire de district du Centre Sud-Ouest	1.000	0.980



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 1998 Geographic Adjustment Factor/Facteur de redressement géographique de 1998	Column/Colonne 3 2005 Geographic Adjustment Factor/Facteur de redressement géographique de 2005
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1.116	1.230
19.	Conseil scolaire de district du Nord-Est de l'Ontario	1.110	1.240
20.	District School Board of Niagara	1.000	0.970
21.	District School Board Ontario North East	1.120	1.290
22.	Dufferin-Peel Catholic District School Board	1.000	1.000
23.	Durham Catholic District School Board	1.000	0.970
24.	Durham District School Board	1.000	0.980
25.	English-language Separate District School Board No. 38	1.000	0.960
26.	Grand Erie District School Board	1.000	0.990
27.	Greater Essex County District School Board	1.000	0.970
28.	Halton Catholic District School Board	1.000	0.990
29.	Halton District School Board	1.000	0.990
30.	Hamilton-Wentworth Catholic District School Board	1.000	0.950
31.	Hamilton-Wentworth District School Board	1.000	0.960
32.	Hastings and Prince Edward District School Board	1.025	0.990
33.	Huron Perth Catholic District School Board	1.011	1.000
34.	Huron-Superior Catholic District School Board	1.104	1.130
35.	Kawartha Pine Ridge District School Board	1.003	0.990
36.	Keewatin-Patricia District School Board	1.144	1.390
37.	Kenora Catholic District School Board	1.143	1.390
38.	Lakehead District School Board	1.080	1.220
39.	Lambton Kent District School Board	1.000	0.990
40.	Limestone District School Board	1.015	0.980
41.	Near North District School Board	1.042	1.140
42.	Niagara Catholic District School Board	1.000	0.970
43.	Nipissing-Parry Sound Catholic District School Board	1.042	1.120
44.	Northeastern Catholic District School Board	1.123	1.270
45.	Northwest Catholic District School Board	1.149	1.390
46.	Ottawa-Carleton District School Board	1.000	0.960
47.	Ottawa Catholic District School Board	1.000	0.950
48.	Peel District School Board	1.000	1.000
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	1.003	0.980
50.	Rainbow District School Board	1.063	1.160
51.	Rainy River District School Board	1.142	1.390
52.	Renfrew County Catholic District School Board	1.000	1.000
53.	Renfrew County District School Board	1.000	1.000
54.	Simcoe County District School Board	1.000	1.000
55.	Simcoe Muskoka Catholic District School Board	1.000	1.010
56.	St. Clair Catholic District School Board	1.000	0.980
57.	Sudbury Catholic District School Board	1.048	1.150
58.	Superior-Greenstone District School Board	1.141	1.390
59.	Superior North Catholic District School Board	1.146	1.390
60.	Thames Valley District School Board	1.000	0.970
61.	Thunder Bay Catholic District School Board	1.074	1.200
62.	Toronto Catholic District School Board	1.000	1.000
63.	Toronto District School Board	1.000	1.000
64.	Trillium Lakelands District School Board	1.026	1.080
65.	Upper Canada District School Board	1.000	0.990
66.	Upper Grand District School Board	1.000	0.980
67.	Waterloo Catholic District School Board	1.000	0.960
68.	Waterloo Region District School Board	1.000	0.960
69.	Wellington Catholic District School Board	1.000	0.970
70.	Windsor-Essex Catholic District School Board	1.000	0.960
71.	York Catholic District School Board	1.000	1.000
72.	York Region District School Board	1.000	1.000

TABLE/TABLEAU 17

GOOD PLACES TO LEARN — MAXIMUM ALLOCATIONS/LIEUX PROPICES À L'APPRENTISSAGE —  
ALLOCATIONS MAXIMALES

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
1.	Algoma District School Board	8,566,032	4,995,267	7,419,175
2.	Algonquin and Lakeshore Catholic District School Board	5,520,784	2,676,460	2,383,944
3.	Avon Maitland District School Board	15,736,931	7,232,322	5,376,929
4.	Bluewater District School Board	14,384,686	7,146,043	6,704,892
5.	Brant Haldimand Norfolk Catholic District School Board	3,736,736	2,002,838	1,705,600
6.	Bruce-Grey Catholic District School Board	1,451,485	980,893	481,320
7.	Catholic District School Board of Eastern Ontario	6,219,937	2,530,733	2,803,289
8.	Conseil de district des écoles publiques de langue française n° 59	6,274,889	3,040,271	1,353,552
9.	Conseil scolaire de district catholique Centre-Sud	6,572,429	2,538,560	6,191,446
10.	Conseil scolaire de district catholique de l'est Ontarien	11,052,079	3,202,518	5,921,700
11.	Conseil scolaire de district catholique des Aurores boréales	538,819	232,311	169,689
12.	Conseil scolaire de district catholique des Grandes Rivières	5,044,082	3,143,085	1,657,108
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	7,471,767	4,982,994	3,912,531
14.	Conseil scolaire de district catholique du Nouvel-Ontario	7,658,633	3,747,791	3,263,607
15.	Conseil scolaire de district catholique Franco-Nord	3,572,837	1,202,050	2,044,028
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3,964,416	2,365,391	1,070,885
17.	Conseil scolaire de district du Centre Sud-Ouest	7,607,684	5,955,460	2,361,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	2,556,615	1,940,285	1,322,770
19.	Conseil scolaire de district du Nord-Est de l'Ontario	387,631	1,314,211	0
20.	District School Board of Niagara	49,974,365	20,969,450	22,693,835
21.	District School Board Ontario North East	5,600,507	4,389,318	1,517,577
22.	Dufferin-Peel Catholic District School Board	13,249,338	5,360,022	11,266,617
23.	Durham Catholic District School Board	2,785,579	2,462,113	1,809,156
24.	Durham District School Board	34,178,196	15,905,348	17,534,183
25.	English-language Separate District School Board No. 38	5,753,149	3,337,905	2,003,443
26.	Grand Erie District School Board	19,857,897	10,108,540	6,694,066
27.	Greater Essex County District School Board	27,319,674	11,876,531	8,611,374
28.	Halton Catholic District School Board	1,557,316	1,495,894	644,331
29.	Halton District School Board	20,243,575	11,833,447	8,180,503
30.	Hamilton-Wentworth Catholic District School Board	7,963,970	3,543,147	2,662,646
31.	Hamilton-Wentworth District School Board	34,103,412	16,283,534	14,648,604
32.	Hastings and Prince Edward District School Board	17,758,146	8,352,536	7,638,914
33.	Huron-Perth Catholic District School Board	1,120,758	954,589	590,500
34.	Huron-Superior Catholic District School Board	3,534,484	2,344,354	199,705
35.	Kawartha Pine Ridge District School Board	20,046,679	11,577,316	18,200,735
36.	Keewatin-Patricia District School Board	4,196,161	1,811,632	1,028,679
37.	Kenora Catholic District School Board	389,401	60,746	0
38.	Lakehead District School Board	5,722,015	2,783,056	799,483
39.	Lambton Kent District School Board	13,930,892	6,933,649	6,151,066
40.	Limestone District School Board	23,041,672	8,953,728	8,659,567
41.	Near North District School Board	11,422,809	6,209,331	5,922,960
42.	Niagara Catholic District School Board	17,271,446	7,079,291	5,987,964
43.	Nipissing-Parry Sound Catholic District School Board	2,910,248	819,592	792,532
44.	Northeastern Catholic District School Board	593,601	692,687	550,149
45.	Northwest Catholic District School Board	242,004	163,826	100,829
46.	Ottawa-Carleton District School Board	47,997,615	18,638,960	17,876,347
47.	Ottawa Catholic District School Board	19,644,533	8,873,966	8,371,051
48.	Peel District School Board	53,515,740	25,922,763	23,378,042



Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/Coût des travaux de réfection urgents et importants — Phase III \$
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2,272,590	1,159,124	174,670
50.	Rainbow District School Board	11,348,912	6,026,504	4,736,184
51.	Rainy River District School Board	1,072,658	1,066,887	516,235
52.	Renfrew County Catholic District School Board	2,319,798	1,520,769	1,597,920
53.	Renfrew County District School Board	8,592,082	6,465,615	4,625,447
54.	Simcoe County District School Board	33,557,187	16,685,935	12,654,293
55.	Simcoe Muskoka Catholic District School Board	6,079,445	3,280,954	1,828,933
56.	St. Clair Catholic District School Board	3,943,656	2,462,347	1,161,122
57.	Sudbury Catholic District School Board	6,629,471	2,849,310	5,220,185
58.	Superior North Catholic District School Board	1,444,496	625,173	614,534
59.	Superior-Greenstone District School Board	1,498,725	970,022	5,079,834
60.	Thames Valley District School Board	41,210,971	23,246,092	18,216,569
61.	Thunder Bay Catholic District School Board	5,609,488	2,730,208	1,554,277
62.	Toronto Catholic District School Board	39,166,136	19,890,934	15,478,683
63.	Toronto District School Board	175,426,757	97,246,244	98,415,289
64.	Trillium Lakelands District School Board	5,818,110	3,415,222	3,383,560
65.	Upper Canada District School Board	10,847,832	8,902,213	8,849,873
66.	Upper Grand District School Board	15,277,490	7,319,709	5,015,878
67.	Waterloo Catholic District School Board	6,082,548	3,513,738	2,377,127
68.	Waterloo Region District School Board	24,732,097	13,047,178	10,325,843
69.	Wellington Catholic District School Board	1,461,091	1,216,228	799,551
70.	Windsor-Essex Catholic District School Board	8,094,232	4,684,843	5,249,917
71.	York Catholic District School Board	10,423,811	5,678,045	3,626,725
72.	York Region District School Board	27,532,179	15,940,140	27,902,213

TABLE/TABLEAU 18

## 2005 CAPITAL POLICY ADJUSTMENT/REDRESSEMENT DES IMMOBILISATIONS EN 2005

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Name of Board/Nom du conseil	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	English-language Separate District School Board No. 38	728	0
2.	Greater Essex County District School Board	1569	0
3.	Hamilton-Wentworth District School Board	842	0
4.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	463	0
5.	Trillium Lakelands District School Board	0	903
6.	Upper Grand District School Board	1724	0
7.	Windsor-Essex Catholic District School Board	522	1059

TABLE/TABLEAU 19

## GROWTH SCHOOLS AMOUNT ELIGIBLE FOR LONG-TERM FINANCING/SOMME LIÉE AUX ÉCOLES DES QUARTIERS À FORTE CROISSANCE QUI EST ADMISSIBLE AU FINANCEMENT À LONG TERME

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	0
2.	Algonquin and Lakeshore Catholic District School Board	0
3.	Avon Maitland District School Board	0



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
4.	Bluewater District School Board	0
5.	Brant Haldimand Norfolk Catholic District School Board	0
6.	Bruce-Grey Catholic District School Board	0
7.	Catholic District School Board of Eastern Ontario	0
8.	Conseil de district des écoles publiques de langue française n° 59	0
9.	Conseil scolaire de district catholique Centre-Sud	0
10.	Conseil scolaire de district catholique de l'Est ontarien	0
11.	Conseil scolaire de district catholique des Aurores boréales	0
12.	Conseil scolaire de district catholique des Grandes Rivières	0
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	0
14.	Conseil scolaire de district catholique du Nouvel-Ontario	0
15.	Conseil scolaire de district catholique Franco-Nord	0
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	0
17.	Conseil scolaire de district du Centre Sud-Ouest	0
18.	Conseil scolaire de district du Grand Nord de l'Ontario	0
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0
20.	District School Board of Niagara	0
21.	District School Board Ontario North East	0
22.	Dufferin-Peel Catholic District School Board	0
23.	Durham Catholic District School Board	0
24.	Durham District School Board	0
25.	English-language Separate District School Board No. 38	0
26.	Grand Erie District School Board	0
27.	Greater Essex County District School Board	22,162,431
28.	Halton Catholic District School Board	28,650,513
29.	Halton District School Board	39,603,358
30.	Hamilton-Wentworth Catholic District School Board	0
31.	Hamilton-Wentworth District School Board	0
32.	Hastings and Prince Edward District School Board	0
33.	Huron Perth Catholic District School Board	0
34.	Huron-Superior Catholic District School Board	0
35.	Kawartha Pine Ridge District School Board	0
36.	Keewatin-Patricia District School Board	0
37.	Kenora Catholic District School Board	0
38.	Lakehead District School Board	0
39.	Lambton Kent District School Board	0
40.	Limestone District School Board	0
41.	Near North District School Board	0
42.	Niagara Catholic District School Board	0
43.	Nipissing-Parry Sound Catholic District School Board	0
44.	Northeastern Catholic District School Board	0
45.	Northwest Catholic District School Board	0
46.	Ottawa-Carleton District School Board	0
47.	Ottawa Catholic District School Board	26,292,446
48.	Peel District School Board	0
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	12,725,832
50.	Rainbow District School Board	0
51.	Rainy River District School Board	0
52.	Renfrew County Catholic District School Board	0
53.	Renfrew County District School Board	0
54.	Simcoe County District School Board	0
55.	Simcoe Muskoka Catholic District School Board	0
56.	St. Clair Catholic District School Board	0
57.	Sudbury Catholic District School Board	0
58.	Superior-Greenstone District School Board	0
59.	Superior North Catholic District School Board	0
60.	Thames Valley District School Board	0
61.	Thunder Bay Catholic District School Board	0
62.	Toronto Catholic District School Board	11,675,708
63.	Toronto District School Board	0

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
64.	Trillium Lakelands District School Board	0
65.	Upper Canada District School Board	0
66.	Upper Grand District School Board	0
67.	Waterloo Catholic District School Board	0
68.	Waterloo Region District School Board	0
69.	Wellington Catholic District School Board	0
70.	Windsor-Essex Catholic District School Board	0
71.	York Catholic District School Board	0
72.	York Region District School Board	0

TABLE/TABLEAU 20

## CAPITAL TRANSITIONAL ADJUSTMENT 1/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS (N° 1)

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	Conseil de district des écoles publiques de langue française n° 59	Casselman	September 1, 2004/ 1 <sup>er</sup> septembre 2004	200	600
2.	Conseil de district des écoles publiques de langue française n° 59	City of/Cité de Cumberland	December 31, 2000/ 31 décembre 2000	0	700
3.	Conseil de district des écoles publiques de langue française n° 59	City of/Cité d'Ottawa	December 31, 2000/ 31 décembre 2000	0	500
4.	Conseil de district des écoles publiques de langue française n° 59	Ottawa	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	500
5.	Conseil de district des écoles publiques de langue française n° 59	Town of Vankleek Hill	December 31, 1997/ 31 décembre 1997	0	500
6.	Conseil scolaire de district catholique Centre-Sud	Cambridge	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	600
7.	Conseil scolaire de district catholique Centre-Sud	York	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	700
8.	Conseil scolaire de district catholique de l'Est ontarien	North Glengarry	September 1, 2003/ 1 <sup>er</sup> septembre 2003	400	500
9.	Conseil scolaire de district catholique de l'Est ontarien	Clarence-Rockland	September 1, 2005/ 1 <sup>er</sup> septembre 2005	240	0
10.	Conseil scolaire de district catholique des Aurores boréales	Thunder Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	540
11.	Conseil scolaire de district catholique des Grandes Rivières	Cochrane	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	500
12.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Brockville	September 1, 2004/ 1 <sup>er</sup> septembre 2004	300	170
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Carleton Place	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	0
14.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	City of/Cité de Trenton	December 31, 1997/ 31 décembre 1997	300	0
15.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Ottawa	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	960

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
16.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Pembroke	September 1, 2003/ 1 <sup>er</sup> septembre 2003	500	500
17.	Conseil scolaire de district catholique du Nouvel-Ontario	Blind River	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	500
18.	Conseil scolaire de district catholique du Nouvel-Ontario	Chapleau	September 1, 2004/ 1 <sup>er</sup> septembre 2004	0	500
19.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	Owen Sound	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	500
20.	Conseil scolaire de district du Centre Sud-Ouest	Barrie	September 1, 2004/ 1 <sup>er</sup> septembre 2004	0	500
21.	Conseil scolaire de district du Centre Sud-Ouest	Brampton	September 1, 2003/ 1 <sup>er</sup> septembre 2003	450	0
22.	Conseil scolaire de district du Centre Sud-Ouest	County of Essex	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	200
23.	Conseil scolaire de district du Centre Sud-Ouest	Peel	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	700
24.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2004/ 1 <sup>er</sup> septembre 2004	370	0
25.	Conseil scolaire de district du Centre Sud-Ouest	Windsor	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	300
26.	Conseil scolaire de district du Grand Nord de l'Ontario	Marathon or Manitouwadge	September 1, 2003/ 1 <sup>er</sup> septembre 2003	25	100
27.	Conseil scolaire de district du Nord-Est de l'Ontario	North Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	325	500
28.	Conseil scolaire de district du Nord-Est de l'Ontario	Timmins	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	502
29.	Sudbury Catholic District School Board	Greater Sudbury/Grand Sudbury	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	500

TABLE/TABLEAU 21

CAPITAL TRANSITIONAL ADJUSTMENT 2/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS (N<sup>o</sup> 2)

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
1.	Conseil scolaire de district catholique Centre-Sud	Milton	September 1, 2007/ 1 <sup>er</sup> septembre 2007	458	0	7,228,310
2.	Conseil scolaire de district catholique Centre-Sud	Toronto	September 1, 2008/ 1 <sup>er</sup> septembre 2008	700	0	11,047,636
3.	Conseil scolaire de district catholique Centre-Sud	Toronto	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	1000	21,423,960
4.	Conseil scolaire de district catholique de l'Est ontarien	Clarence-Rockland	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	169	3,731,485



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
5.	Conseil scolaire de district catholique des Aurores boréales	Dryden	September 1, 2006/ 1 <sup>er</sup> septembre 2006	47	0	1,014,257
6.	Conseil scolaire de district catholique des Aurores boréales	Greenstone	September 1, 2006/ 1 <sup>er</sup> septembre 2006	9	0	194,219
7.	Conseil scolaire de district catholique des Grandes Rivières	Iroquois Falls	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	120	3,410,345
8.	Conseil scolaire de district catholique du Nouvel-Ontario	Wawa	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	115	2,991,703
9.	Conseil scolaire de district catholique du Nouvel-Ontario	Wawa	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	125	3,251,851
10.	Conseil scolaire de district catholique Franco-Nord	Mattawa	September 1, 2007/ 1 <sup>er</sup> septembre 2007	0	360	9,050,530
11.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Chatham-Kent	September 1, 2007/ 1 <sup>er</sup> septembre 2007	476	0	7,435,735
12.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Sarnia	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	44	933,035
13.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	St. Thomas	September 1, 2005/ 1 <sup>er</sup> septembre 2005	250	0	3,905,323
14.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Woodstock	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	400	8,482,139
15.	Conseil scolaire de district du Centre Sud-ouest	London	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	600	12,854,376
16.	Conseil scolaire de district du Centre Sud-ouest	Sarnia	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	151	3,235,018
17.	Conseil scolaire de district du Centre Sud-Ouest	Orangeville	September 1, 2006/ 1 <sup>er</sup> septembre 2006	122	0	1,925,445
18.	Conseil scolaire de district du Centre Sud-Ouest	Pickering	September 1, 2007/ 1 <sup>er</sup> septembre 2007	500	0	7,891,168
19.	Conseil scolaire de district du Centre Sud-Ouest	Pickering	September 1, 2007/ 1 <sup>er</sup> septembre 2007	0	500	10,711,980
20.	Conseil scolaire de district du Centre Sud-Ouest	Richmond Hill	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	500	10,711,980

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
21.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2006/ 1 <sup>er</sup> septembre 2006	700	0	11,047,636
22.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2007/ 1 <sup>er</sup> septembre 2007	700	0	11,047,636
23.	Conseil scolaire de district du Grand Nord de l'Ontario	Dubreuilville	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	240	6,453,422
24.	Conseil scolaire de district du Grand Nord de l'Ontario	Wawa	September 1, 2007/ 1 <sup>er</sup> septembre 2007	100	0	1,980,844
25.	Conseil scolaire de district du Nord-est de l'Ontario	Iroquois Falls	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	120	3,252,944
26.	Conseil scolaire de district du Nord-Est de l'Ontario	North Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	325	500	17,494,607
27.	Conseil scolaire de district du Nord-Est de l'Ontario	Temiskaming Shores	September 1, 2004/ 1 <sup>er</sup> septembre 2004	200	0	3,744,823
28.	Conseil scolaire de district du Nord-Est de l'Ontario	Temiskaming Shores	September 1, 2006/ 1 <sup>er</sup> septembre 2006	225	0	4,493,135
29.	Conseil scolaire de district du Nord-Est de l'Ontario	Timmins	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	502	11,853,294

TABLE/TABLEAU 22

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE / ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N<sup>o</sup> 1)

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS/SIIS #	Elementary Schools/Écoles élémentaires	Secondary Schools/Écoles secondaires	Municipality/Municipalité
1.	Bluewater District School Board	652	Durham District Community S		West Grey
2.	Bluewater District School Board	5759		Warton DHS	South Bruce Peninsula
3.	Conseil scolaire de district catholique Centre-Sud	4148	Saint-François d'Assise		Welland
4.	Conseil scolaire de district catholique Centre-Sud	9722		ES Jean Vanier	Welland
5.	Conseil scolaire de district catholique des Aurores boréales	4199	Franco-Terrace, É.		Terrace Bay
6.	Conseil scolaire de district catholique des Grandes Rivières	7743		Jean-Vanier, É.s.	Kirkland Lake
7.	Conseil scolaire de district catholique du Nouvel-Ontario	6270		Former College Sacre Coeur	Greater Sudbury
8.	Conseil scolaire de district catholique Franco-Nord	3018		Algonquin, É.s.	North Bay
9.	Conseil scolaire de district du Grand Nord de l'Ontario	5831	Jean-Éthier-Blais, É.p.		Greater Sudbury

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 SFIS/SIIS #	Column/Colonne 3 Elementary Schools/Écoles élémentaires	Column/Colonne 4 Secondary Schools/Écoles secondaires	Column/Colonne 5 Municipality/ Municipalité
10.	Conseil scolaire de district du Nord-Est de l'Ontario	10308	Sacré-Cœur, É.sép.		Kapuskasing
11.	District School Board of Niagara	1756	Park PS		Grimsby
12.	District School Board Ontario North East	6467	G H Ferguson		Cochrane
13.	District School Board Ontario North East	7729		Kirkland Lake CVI	Kirkland Lake
14.	Durham Catholic District School Board	8789	St. Joseph C.S.		Oshawa
15.	Durham District School Board	1286	R A Sennett PS		Whitby
16.	Greater Essex County District School Board	849	Frank W Begley Public School		Windsor
17.	Huron Perth Catholic District School Board	3145	St Joseph Sep S		Central Huron
18.	Huron Perth Catholic District School Board	3433	St. Mary's Separate School		North Perth
19.	Kenora Catholic District School Board	3443	Mount Carmel Sep S		Kenora
20.	Kenora Catholic District School Board	8568	Our Lady of the Valley School		Kenora
21.	Near North District School Board	2231	Frank Casey PS		West Nipissing
22.	Ottawa Catholic District School Board	5815	Jean Vanier Catholic		Ottawa
23.	Renfrew County Catholic District School Board	3559	Our Lady of Sorrows Sep S		Petawawa
24.	Superior North Catholic District School Board	4230	St Martin		Terrace Bay
25.	Superior North Catholic District School Board	3908	St. Edward Separate School		Nipigon
26.	Thames Valley District School Board	5684		Strathroy CI	Strathroy-Caradoc
27.	Toronto Catholic District School Board	3572	Our Lady of Victory CS		Toronto
28.	Upper Canada District School Board	388	Central PS		Cornwall
29.	Upper Canada District School Board	5660		Smiths Falls District CI	Smiths Falls
30.	Upper Canada District School Board	6344	Escott PS		Front of Yonge
31.	Upper Canada District School Board	6346	Lansdowne PS		Leeds and the Thousand Islands
32.	Upper Canada District School Board	6929	William Hiscocks PS		Leeds and the Thousand Islands
33.	Upper Grand District School Board	1559	Mono-Amaranth PS		Orangeville
34.	York Catholic District School Board	3361	John XXIII Sep S		Markham
35.	York Catholic District School Board	4181	St Luke Sep S		Markham
36.	York Region District School Board	6368	George Bailey Building		Vaughan
37.	York Region District School Board	2552	Woodbridge PS		Vaughan



TABLE/TABLEAU 23

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE 2/ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N° 2)

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/Plafond des immobilisations donnant droit au financement à long terme \$
1.	Algoma District School Board	5223		Bawating C & VS	Sault Ste. Marie	52,820,080
2.	Algoma District School Board	5645		Sir James Dunn C & VS	Sault Ste. Marie	
3.	Algoma District School Board	9573	Bawating C & V.S.		Sault Ste. Marie	
4.	Algoma District School Board	10893	Bawating Intermediate		Sault Ste. Marie	
5.	Algoma District School Board	848	Francis H Clergue Public School		Sault Ste. Marie	
6.	Algoma District School Board	2035	Rosedale Public School		Sault Ste. Marie	
7.	Algoma District School Board	7599		Hornepayne High School	Hornepayne	
8.	Algoma District School Board	7598		Hornepayne High School Annex	Hornepayne	
9.	Algonquin and Lakeshore Catholic District School Board	9229	Sacred Heart Catholic School Marmora		Marmora and Lake	9,374,708
10.	Algonquin and Lakeshore Catholic District School Board	9222	St. Michael CES		Belleville	
11.	Avon Maitland District School Board	1661	Arthur Meighen PS		St. Marys	4,831,328
12.	Avon Maitland District School Board	396	St. Mary's Central PS		St. Marys	
13.	Bluewater District School Board	1177	James A. Magee		Hanover	6,847,763
14.	Brant Haldimand Norfolk Catholic District School Board	3513	Our Lady of Fatima Sep School		Brantford	5,934,159
15.	Brant Haldimand Norfolk Catholic District School Board	4026	St. Jean de Brebeuf Sep S		Brantford	
16.	Bruce-Grey Catholic District School Board	3786		St. Mary's High School	Owen Sound	3,709,406
17.	Catholic District School Board of Eastern Ontario	4138	St. Joseph SS / Prescott		Prescott	9,958,654
18.	Catholic District School Board of Eastern Ontario	4222	St. Mark		Prescott	
19.	Catholic District School Board of Eastern Ontario	3368	St. Joseph Catholic School / Toledo		Elizabethtown - Kitley	
20.	Catholic District School Board of Eastern Ontario	9292	Mother Teresa Annex		Russell	3,463,096
21.	Conseil de district des écoles publiques de langue française n° 59	1628	Ecole Madeleine- de-Roybon		Kingston	
22.	Conseil scolaire de district catholique de l'Est ontarien	6204	Ecole St-Gregoire		Champlain	10,686,413
23.	Conseil scolaire de district catholique de l'Est ontarien	3627	Saint-Jean, E. Sep		Russell	
24.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3430	École élémentaire Montfort		Ottawa	9,028,785

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/Plafond des immobilisations donnant droit au financement à long terme \$
25.	Conseil scolaire de district catholique Franco-Nord	3628	Echo-jeunesse, E. Sep		West Nipissing	17,279,243
26.	Conseil scolaire de district catholique Franco-Nord	3663	St. Joseph		West Nipissing	
27.	Conseil scolaire de district catholique Franco Nord	4547	Ecole Saint-Anne		North Bay	
28.	Conseil scolaire de district catholique Franco Nord	4387	Ecole Saint Paul		North Bay	
29.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	4066	École St-jean- Baptiste		Amhurstburg	6,045,440
30.	Conseil scolaire de district du Grand Nord de l'Ontario	9946	École publique Camille-Perron (leased)		Markstay-Warren	2,812,799
31.	District School Board of Niagara	489	Colonel John Butler PS		Niagara-On-The- Lake	9,107,214
32.	District School Board of Niagara	2391	Virgil PS		Niagara-On-The- Lake	
33.	District School Board of Niagara	1923	Queen Mary Public School		St. Catharines	
34.	Durham Catholic District School Board	8775	St. Bernadette CS		Ajax	8,904,137
35.	English-language Separate District School Board No. 38	3537	Our Lady of Lourdes Catholic Elementary School		Middlesex Centre	6,184,099
36.	Grand Erie District School Board	5304		Delhi District SS	Norfolk County	25,430,022
37.	Grand Erie District School Board	5243		Brantford Collegiate Institute & Vocational School	Brantford	
38.	Greater Essex County District School Board	7803		Leamington District SS	Leamington	30,980,472
39.	Greater Essex County District School Board	5358		Essex District HS	Essex	
40.	Greater Essex County District School Board	1163	J E Benson Public School		Windsor	
41.	Greater Essex County District School Board	1200	John Campbell Public School		Windsor	
42.	Halton Catholic District School Board	8104		St. Thomas Aquinas Catholic Secondary School	Oakville	14,284,098
43.	Halton District School Board	1314	Lakeshore PS		Burlington	3,188,676
44.	Hamilton-Wentworth Catholic District School Board	4496	St. Thomas CES		Hamilton	3,947,195
45.	Hamilton-Wentworth District School Board	8026	Lawfield		Hamilton	25,447,568
46.	Hamilton-Wentworth District School Board	8089	Vern Ames		Hamilton	
47.	Hamilton-Wentworth District School Board	8085	Stinson Street		Hamilton	
48.	Hamilton-Wentworth District School Board	8064	Queen Victoria		Hamilton	
49.	Hamilton-Wentworth District School Board	8075	Sanford Avenue		Hamilton	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/Plafond des immobilisations donnant droit au financement à long terme \$
50.	Huron-Superior Catholic District School Board	6326		Mount St. Joseph College	Sault Ste. Marie	1,626,562
51.	Huron-Superior Catholic District School Board	3781		St. Basil	Sault Ste. Marie	
52.	Kawartha Pine Ridge District School Board	86	Apsely PS		North Kawartha	8,897,110
53.	Kawartha Pine Ridge District School Board	405	Central PS		Port Hope	
54.	Kawartha Pine Ridge District School Board	1112	Howard Jordan PS		Port Hope	
55.	Kawartha Pine Ridge District School Board	2584	Youngs Point PS		Cramahe	
56.	Keewatin-Patricia District School Board	1740	Oxdrift PS		Dryden Locality Education (assessment roll numbers beginning with "6096")	1,275,954
57.	Kenora Catholic District School Board	10543	St. Thomas Aquinas Annex		Kenora	3,089,151
58.	Lakehead District School Board	7559		Hillcrest High School	Thunder Bay	26,590,633
59.	Lakehead District School Board	7594		Port Arthur Collegiate Institute	Thunder Bay	
60.	Lambton Kent District School Board	581	Devine Street School		Sarnia	7,286,125
61.	Lambton Kent District School Board	1221	Johnston Memorial School		Sarnia	
62.	Near North District School Board	5668		Almaguin Highland SS	South River	18,691,312
63.	Niagara Catholic District School Board	7973	St. Joseph		Grimsby	8,685,439
64.	Niagara Catholic District School Board	7980	Our Lady of Fatima		Grimsby	
65.	Nipissing-Parry Sound Catholic DSB	5985	St. Theresa Catholic School		East Ferris	12,162,827
66.	Nipissing-Parry Sound Catholic DSB	3652	Sacred Heart Separate School		North Bay	
67.	Nipissing-Parry Sound Catholic DSB	4114	St. Joseph Separate School		North Bay	
68.	Nipissing-Parry Sound Catholic DSB	3999	St. Hubert Separate School		North Bay	
69.	Ottawa-Carleton District School Board	819	Fitzroy Centennial Public School		Ottawa	6,709,747
70.	Ottawa-Carleton District School Board	10140	Fitzroy Harbour Public School		Ottawa	
71.	Ottawa-Carleton District School Board	1655	Kars Public School		Ottawa	
72.	Peel District School Board	1749	Palgrave PS		Caledon	11,804,544
73.	Peel District School Board	338	Castlemore PS		Brampton	
74.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9267	St. Mary's School		Port Hope	1,925,445
75.	Rainbow District School Board	996	Markstay Public School		Markstay-Warren	8,499,915



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/Plafond des immobilisations donnant droit au financement à long terme \$
76.	Rainbow District School Board	9623	Warren Public School		Markstay-Warren	
77.	Rainbow District School Board	207	Val Caron Public School		Greater Sudbury	
78.	Rainbow District School Board	2360	Valleyview Public School		Greater Sudbury	
79.	Rainy River District School Board	9397	Alexander Mackenzie School		Fort Frances	15,349,466
80.	Rainy River District School Board	9380	J W Walker PS		Fort Frances	
81.	Rainy River District School Board	9378	F H Huffman PS		Fort Frances	
82.	Rainy River District School Board	9384	Robert Moore PS		Fort Frances	
83.	Simcoe County District School Board	8151	King Edward PS		Barrie	33,756,449
84.	Simcoe County District School Board	8157	Mount Slaven PS		Orillia	
85.	Simcoe County District School Board	8165	Parkview PS		Midland	
86.	Simcoe County District School Board	8168	Prince of Wales PS		Barrie	
87.	Simcoe County District School Board	8171	Regent PS		Midland	
88.	Simcoe County District School Board	8207	David H. Church PS		Orillia	
89.	Simcoe County District School Board	8142	Hillcrest PS		Orillia	
90.	Simcoe County District School Board	8193	Baxter Annex		Essa	
91.	Simcoe Muskoka Catholic District School Board	8324	St. Paul's Alliston		New Tecumseth	9,144,720
92.	Simcoe Muskoka Catholic District School Board	8291		Holy Trinity SS	Bradford West Gwillimbury	
93.	St. Clair Catholic District School Board	3791	St. Benedict Catholic School		Sarnia	4,245,449
94.	Thames Valley District School Board	323	Caradoc South PS		Strathroy-Caradoc	14,153,720
95.	Thames Valley District School Board	630	Drumbo PS		Blandford-Blenheim	
96.	Thames Valley District School Board	1890	Princeton PS		Blandford-Blenheim	
97.	Thames Valley District School Board	5897	Elmdale PS		St. Thomas	
98.	Thames Valley District School Board	1599	Myrtle Street PS		St. Thomas	
99.	Thames Valley District School Board	2443	Wellington PS		St. Thomas	
100.	Thunder Bay Catholic District School Board	3653	Sacred Heart		Thunder Bay	8,309,883
101.	Thunder Bay Catholic District School Board	4500	St. Thomas Aquinas		Thunder Bay	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SFIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long-term Financing/Plafond des immobilisations donnant droit au financement à long terme \$
102.	Toronto Catholic District School Board	9512	St. Edward		Toronto	2,608,917
103.	Trillium Lakelands District School Board	1597	Muskoka Falls PS		Bracebridge	3,478,556
104.	Upper Canada District School Board	5716		Vankleek Hill C. I.	Champlain	10,821,286
105.	Upper Grand District School Board	1211	John McCrae PS		Guelph	16,762,241
106.	Upper Grand District School Board	1276	King George PS		Guelph	
107.	Upper Grand District School Board	2342	Tytler PS		Guelph	
108.	Upper Grand District School Board	1024	Harriston PS		Minto	
109.	Waterloo Region District School Board	2073	Ryerson		Cambridge	5,472,928
110.	Waterloo Region District School Board	829	Floradale		Woolwich	5,076,920
111.	Wellington Catholic District School Board	4102	St. Joseph Elem.		Guelph	
112.	York Catholic District School Board	3638	Holy Name Catholic Elementary School		King	
113.	York Catholic District School Board	4252	St. Mary Immaculate School		Richmond Hill	34,551,242
114.	York Region District School Board	5509		Markham District High School	Markham	
115.	York Region District School Board	1285	King City PS		King	
116.	York Region District School Board	6351	Eva L. Building		King	

TABLE/TABLEAU 24

## OUTSTANDING CAPITAL COMMITMENTS/ENGAGEMENTS D'IMMOBILISATIONS NON RÉALISÉS

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Board Name/Nom du conseil	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	Bluewater District School Board	0	111
2.	Conseil scolaire de district catholique Centre-Sud	0	452
3.	Conseil scolaire de district catholique de l'Est ontarien	41	0
4.	Conseil scolaire de district du Centre Sud-Ouest	144	0
5.	District School Board Ontario North East	281	0
6.	Dufferin-Peel Catholic District School Board	274	0
7.	Durham Catholic District School Board	79	0
8.	Greater Essex County District School Board	0	122
9.	Hamilton-Wentworth Catholic District School Board	204	224
10.	Keewatin-Patricia District School Board	69	0
11.	Near North District School Board	681	0
12.	Ottawa-Carleton District School Board	0	107
13.	Peel District School Board	0	83

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Board Name/Nom du conseil	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
14.	Simcoe County District School Board	91	0
15.	Simcoe Muskoka Catholic District School Board	274	0
16.	Superior-Greenstone District School Board	0	80
17.	Toronto Catholic District School Board	0	25
18.	Upper Grand District School Board	0	188

TABLE/TABLEAU 25

CAPITAL RELATED DEBT ELIGIBLE FOR FUNDING SUPPORT BY DISTRICT SCHOOL BOARD/DETTE LIÉE  
AUX IMMOBILISATIONS ADMISSIBLE À UN SOUTIEN FINANCIER, PAR CONSEIL SCOLAIRE DE DISTRICT

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2	Column/Colonne 3
		Outstanding Principal as at August 31, 2001/Capital impayé au 31 août 2001	
		Permanently Financed/Avec financement permanent \$	Non-permanently Financed/Sans financement permanent \$
1.	Algoma District School Board	935,011	0
2.	Algonquin and Lakeshore Catholic District School Board	4,534,944	10,286,245
3.	Avon Maitland District School Board	140,000	2,908,191
4.	Bluewater District School Board	7,057,791	10,584,205
5.	Brant Haldimand Norfolk Catholic District School Board	6,159,000	1,965,017
6.	Bruce-Grey Catholic District School Board	0	0
7.	Catholic District School Board of Eastern Ontario	5,113,271	5,138,565
8.	Conseil de district des écoles publiques de langue française n° 59	2,590,831	2,823,908
9.	Conseil scolaire de district catholique Centre-Sud	0	14,404,135
10.	Conseil scolaire de district catholique de l'Est ontarien	3,850,994	1,003,420
11.	Conseil scolaire de district catholique des Aurores boréales	0	0
12.	Conseil scolaire de district catholique des Grandes Rivières	3,327,994	391,453
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	13,648,851	11,237,346
14.	Conseil scolaire de district catholique du Nouvel-Ontario	792,253	629,797
15.	Conseil scolaire de district catholique Franco-Nord	0	1,416,482
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	0	13,125,508
17.	Conseil scolaire de district du Centre Sud-Ouest	4,107,626	7,652,471
18.	Conseil scolaire de district du Grand Nord de l'Ontario	0	0
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0	1,561,697
20.	District School Board of Niagara	1,987,230	9,176,721
21.	District School Board Ontario North East	2,284,000	3,902,251
22.	Dufferin-Peel Catholic District School Board	15,560,434	45,225,666
23.	Durham Catholic District School Board	8,240,960	0
24.	Durham District School Board	30,619,000	0
25.	English-language Separate District School Board No. 38	13,163,955	5,331,454
26.	Grand Erie District School Board	6,515,674	3,520,453
27.	Greater Essex County District School Board	5,322,280	23,888,134
28.	Halton Catholic District School Board	29,596,207	635,900
29.	Halton District School Board	39,359,093	7,293,741
30.	Hamilton-Wentworth Catholic District School Board	30,542,204	14,110,520
31.	Hamilton-Wentworth District School Board	41,514,451	16,675,861
32.	Hastings and Prince Edward District School Board	0	0
33.	Huron Perth Catholic District School Board	0	1,823,717
34.	Huron-Superior Catholic District School Board	840,787	0
35.	Kawartha Pine Ridge District School Board	17,945,659	15,044,574
36.	Keewatin-Patricia District School Board	2,038,438	9,353,273
37.	Kenora Catholic District School Board	2,120,648	0
38.	Lakehead District School Board	13,846,787	1,329,751
39.	Lambton Kent District School Board	0	9,995,260
40.	Limestone District School Board	1,720,215	6,139,800



Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Outstanding Principal as at August 31, 2001/Capital impayé au 31 août 2001	Column/Colonne 3
		Permanently Financed/Avec financement permanent \$	Non-permanently Financed/Sans financement permanent \$
41.	Near North District School Board	991,784	5,277,832
42.	Niagara Catholic District School Board	37,971,903	1,576,995
43.	Nipissing-Parry Sound Catholic District School Board	3,157,000	0
44.	Northeastern Catholic District School Board	5,074,104	0
45.	Northwest Catholic District School Board	0	0
46.	Ottawa-Carleton District School Board	19,695,586	33,867,011
47.	Ottawa Catholic District School Board	23,375,000	4,537,537
48.	Peel District School Board	21,082,542	13,896,303
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	25,502,314	0
50.	Rainbow District School Board	990,000	0
51.	Rainy River District School Board	0	13,256,444
52.	Renfrew County Catholic District School Board	313,062	8,891,329
53.	Renfrew County District School Board	326,000	3,361,213
54.	Simcoe County District School Board	34,727,890	27,129,972
55.	Simcoe Muskoka Catholic District School Board	33,717,356	5,411,046
56.	St. Clair Catholic District School Board	16,408,300	2,663,378
57.	Sudbury Catholic District School Board	2,032,787	185,141
58.	Superior-Greenstone District School Board	380,796	1,718,287
59.	Superior North Catholic District School Board	789,499	0
60.	Thames Valley District School Board	25,868,077	107,065,578
61.	Thunder Bay Catholic District School Board	1,581,000	7,004,084
62.	Toronto Catholic District School Board	83,749,743	50,530,667
63.	Toronto District School Board	163,022,903	275,146,340
64.	Trillium Lakelands District School Board	26,528,182	7,875,676
65.	Upper Canada District School Board	13,087,000	0
66.	Upper Grand District School Board	8,046,000	11,377,073
67.	Waterloo Catholic District School Board	31,488,696	5,341,898
68.	Waterloo Region District School Board	13,089,250	1,407,664
69.	Wellington Catholic District School Board	8,264,313	0
70.	Windsor-Essex Catholic District School Board	21,728,370	21,647,385
71.	York Catholic District School Board	87,445,813	3,007,847
72.	York Region District School Board	66,296,399	11,433,816

TABLE/TABLEAU 26

PER PUPIL EXCLUSION FOR DECLINING ENROLMENT ADJUSTMENT/MONTANT PAR ÉLÈVE À EXCLURE DU  
REDRESSEMENT POUR BAISSSE DES EFFECTIFS

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2
		Amount/Montant \$
1.	Algoma District School Board	95.39
2.	Algonquin and Lakeshore Catholic District School Board	89.45
3.	Avon Maitland District School Board	88.02
4.	Bluewater District School Board	88.23
5.	Brant Haldimand Norfolk Catholic District School Board	88.80
6.	Bruce-Grey Catholic District School Board	91.06
7.	Catholic District School Board of Eastern Ontario	87.99
8.	Conseil de district des écoles publiques de langue française n° 59	100.88
9.	Conseil scolaire de district catholique Centre-Sud	101.21
10.	Conseil scolaire de district catholique de l'Est ontarien	98.53
11.	Conseil scolaire de district catholique des Aurores boréales	135.63
12.	Conseil scolaire de district catholique des Grandes Rivières	109.43
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	98.95
14.	Conseil scolaire de district catholique du Nouvel-Ontario	106.21
15.	Conseil scolaire de district catholique Franco-Nord	106.42

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	103.05
17.	Conseil scolaire de district du Centre Sud-Ouest	106.94
18.	Conseil scolaire de district du Grand Nord de l'Ontario	119.94
19.	Conseil scolaire de district du Nord-Est de l'Ontario	115.39
20.	District School Board of Niagara	87.46
21.	District School Board Ontario North East	101.10
22.	Dufferin-Peel Catholic District School Board	86.30
23.	Durham Catholic District School Board	86.03
24.	Durham District School Board	86.30
25.	English-language Separate District School Board No. 38	85.36
26.	Grand Erie District School Board	87.52
27.	Greater Essex County District School Board	87.16
28.	Halton Catholic District School Board	86.41
29.	Halton District School Board	86.39
30.	Hamilton-Wentworth Catholic District School Board	86.43
31.	Hamilton-Wentworth District School Board	87.28
32.	Hastings and Prince Edward District School Board	88.40
33.	Huron Perth Catholic District School Board	89.97
34.	Huron-Superior Catholic District School Board	99.02
35.	Kawartha Pine Ridge District School Board	86.11
36.	Keewatin-Patricia District School Board	99.54
37.	Kenora Catholic District School Board	99.56
38.	Lakehead District School Board	91.18
39.	Lambton Kent District School Board	87.50
40.	Limestone District School Board	88.42
41.	Near North District School Board	91.94
42.	Niagara Catholic District School Board	86.65
43.	Nipissing-Parry Sound Catholic District School Board	97.10
44.	Northeastern Catholic District School Board	104.50
45.	Northwest Catholic District School Board	113.38
46.	Ottawa Catholic District School Board	87.40
47.	Ottawa-Carleton District School Board	88.65
48.	Peel District School Board	88.15
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	87.42
50.	Rainbow District School Board	91.18
51.	Rainy River District School Board	102.65
52.	Renfrew County Catholic District School Board	94.65
53.	Renfrew County District School Board	89.89
54.	Simcoe County District School Board	86.14
55.	Simcoe Muskoka Catholic District School Board	85.82
56.	St. Clair Catholic District School Board	90.24
57.	Sudbury Catholic District School Board	93.86
58.	Superior North Catholic District School Board	131.34
59.	Superior-Greenstone District School Board	113.25
60.	Thames Valley District School Board	86.68
61.	Thunder Bay Catholic District School Board	92.43
62.	Toronto Catholic District School Board	87.30
63.	Toronto District School Board	89.69
64.	Trillium Lakelands District School Board	88.77
65.	Upper Canada District School Board	88.02
66.	Upper Grand District School Board	85.52
67.	Waterloo Catholic District School Board	87.19
68.	Waterloo Region District School Board	86.21
69.	Wellington Catholic District School Board	88.95
70.	Windsor-Essex Catholic District School Board	85.79
71.	York Catholic District School Board	87.53
72.	York Region District School Board	86.81



TABLE/TABLEAU 27  
ADDITIONAL RURAL SCHOOLS/ÉCOLES RURALES ADDITIONNELLES

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
1.	Algoma District School Board	114	Awere's 1 PS		Sault Ste. Marie
2.	Algoma District School Board	969	Greenwood PS		Sault Ste. Marie
3.	Algoma District School Board	1946	R M Moore PS		Sault Ste. Marie
4.	Algoma District School Board	2279	Tarentorus PS		Sault Ste. Marie
5.	Algonquin and Lakeshore Catholic District School Board	3302	Holy Name Catholic School		Kingston
6.	Avon Maitland District School Board	2585	Colborne Central S		Goderich
7.	Avon Maitland District School Board	1652	North Easthope PS		Stratford
8.	Avon Maitland District School Board	2184	South Perth Centennial PS		St. Marys
9.	Bluewater District School Board	1265	Kincardine Township- Tiverton PS		Kincardine
10.	Brant Haldimand Norfolk Catholic District School Board	4318	St Michaels Sep		Simcoe
11.	Brant Haldimand Norfolk Catholic District School Board	4489	St Theresa Sep S		Brantford
12.	Catholic District School Board of Eastern Ontario	10624		Holy Trinity CHS	Cornwall
13.	Catholic District School Board of Eastern Ontario	4070		St. John CHS	Perth
14.	Conseil scolaire de district catholique Centre-Sud	8284	ÉEC Sainte-Croix		Tiny
15.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	6193		Beatrice-Desloges, E.s.c.	Cumberland
16.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10803	école Bernard- Grandmaitre		Ottawa
17.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10144	Ecole élémentaire de la Découverte		Ottawa
18.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10063	Pavillon Béatrice- Desloges		Orleans
19.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	9286	Monseigneur Augustin Caron		La Salle
20.	Conseil de district des écoles publiques de langue française n° 59	9869	É.é.p. Des Sentiers		Orleans
21.	Conseil de district des écoles publiques de langue française n° 59	9980		École secondaire publique Gisele Lalonde	Ottawa (Orléans)
22.	Conseil de district des écoles publiques de langue française n° 59	10480	Gisèle-Lalonde (7e & 8e année)		Ottawa (Orléans)
23.	District School Board of Niagara	774	F J Rutland PS		Niagara Falls
24.	Dufferin-Peel Catholic District School Board	3620		Robert F. Hall Catholic SS	Caledon East
25.	Dufferin-Peel Catholic District School Board	3874	St Cornelius S		Caledon East
26.	Dufferin-Peel Catholic District School Board	4357	St Patrick Sep S		Brampton
27.	Dufferin-Peel Catholic District School Board	4498		St Thomas Aquinas Sep S	Brampton



Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
28.	Durham Catholic District School Board	9353	St. John Bosco		Oshawa
29.	Durham District School Board	1805	Claremont PS		Claremont
30.	Durham District School Board	9400	Epsom PS		Scugog
31.	Durham District School Board	512	Kedron PS		Oshawa
32.	Durham District School Board	1959	Prince Albert PS		Prince Albert
33.	Grand Erie District School Board	79	Anna Melick Memorial S		Dunnville
34.	Grand Erie District School Board	184	Bethel-Oak Hill PS		Paris
35.	Grand Erie District School Board	954	Grandview PS		Dunnville
36.	Grand Erie District School Board	1705	Oneida Central PS		Caledonia
37.	Grand Erie District School Board	403	Onondaga-Brant PS		Brantford
38.	Grand Erie District School Board	2416	Walsh Public School		Simcoe
39.	Greater Essex County District School Board	77	Anderdon Central Public School		Amherstburg
40.	Greater Essex County District School Board	366	Colchester North Public School		Essex
41.	Greater Essex County District School Board	1430	Malden Central Public School		Amherstburg
42.	Greater Essex County District School Board	1574	Mount Carmel-Blytheswood Public School		Leamington
43.	Greater Essex County District School Board	1858	Prince Andrew Public School		La Salle
44.	Greater Essex County District School Board	7804		Sandwich Secondary School	La Salle
45.	Greater Essex County District School Board	2259	Sun Parlor Jr Public School		Essex
46.	Greater Essex County District School Board	7805		Western Secondary School	Amherstburg
47.	Halton Catholic District School Board	8135		Bishop P.F. Reding Secondary	Milton
48.	Halton District School Board	10469	Chris Hadfield Public School		Milton
49.	Halton District School Board	1817	Pineview PS		Georgetown
50.	Halton District School Board	2238	Stewarttown Md S		Georgetown
51.	Hamilton-Wentworth Catholic District School Board	10115	Guardian Angels Catholic Elementary School		Waterdown
52.	Hamilton-Wentworth Catholic District School Board	9410	Holy Name of Mary CES (new school)		Ancaster
53.	Hamilton-Wentworth District School Board	821	Flamborough Centre Senior PS		Hamilton
54.	Hastings and Prince Edward District School Board	72	Massassaga-Rednersville Public School		Belleville
55.	Kawartha Pine Ridge District School Board	371	Camborne PS		Cobourg
56.	Kawartha Pine Ridge District School Board	5301		Crestwood SS	Peterborough
57.	Kawartha Pine Ridge District School Board	552	Dale Road Sr S		Cobourg
58.	Kawartha Pine Ridge District School Board	882	George Hamilton PS		Port Hope
59.	Kawartha Pine Ridge District School Board	1186	James Strath PS		Peterborough
60.	Kawartha Pine Ridge District School Board	5806	Kent		Campbellford
61.	Keewatin-Patricia District School Board	7532	Valleyview P.S.		Kenora

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
62.	Lakehead District School Board	7553	Five Mile		Thunder Bay
63.	Lakehead District School Board	7556	Gorham & Ware		Thunder Bay
64.	Lakehead District School Board	7591	Nor'wester View		Thunder Bay
65.	Lakehead District School Board	7570	Valley Central PS		Thunder Bay
66.	Lambton Kent District School Board	493	Confederation Central S		Sarnia
67.	Limestone District School Board	992	H H Langford		Napanee
68.	Near North District School Board	9556	Humphrey Central PS		Parry Sound
69.	Near North District School Board	1499	McDougall PS		Parry Sound
70.	Ottawa-Carleton Catholic District School Board	3399	St Isidore Sep S		Kanata
71.	Ottawa-Carleton Catholic District School Board	3241	St Mary Sep S - Gloucester		Gloucester
72.	Ottawa-Carleton Catholic District School Board	10125	St. Theresa Catholic Elementary School		Ottawa
73.	Ottawa-Carleton District School Board	334	Castor Valley ES		Greely
74.	Ottawa-Carleton District School Board	1607	Cedarview Middle S		Nepean
75.	Ottawa-Carleton District School Board	548	D. Aubrey Moodie Intermediate S		Nepean
76.	Ottawa-Carleton District School Board	819	Fitzroy Centennial/Harbour PS		Kinburn
77.	Ottawa-Carleton District School Board	940	Goulbourn Middle S		Stittsville
78.	Ottawa-Carleton District School Board	1727	Greely PS		Greely
79.	Peel District School Board	64	Alloa PS		Brampton
80.	Peel District School Board	304	Alton PS		Caledon
81.	Peel District School Board	303	Caledon East PS		Caledon
82.	Peel District School Board	10490	Claireville P.S.		Brampton
83.	Peel District School Board	10402	Edenbrook Hill Public School		Brampton
84.	Peel District School Board	1417	Macville PS		Caledon
85.	Peel District School Board	1749	Palgrave PS		Palgrave
86.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	10037		St Thomas Aquinas Catholic	Lindsay
87.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9256	St. Luke's School		Downeyville
88.	Rainbow District School Board	590	Wanup PS		Sudbury
89.	Renfrew County District School Board	20	Admaston PS		Renfrew
90.	Renfrew County District School Board	1509	McNab PS		Arnprior
91.	Renfrew County District School Board	1811	Pine View PS		Pembroke
92.	Renfrew County District School Board	56	Rockwood PS		Pembroke
93.	Simcoe County District School Board	8144	Hon. Earl Rowe PS		Bradford
94.	Simcoe County District School Board	8153	Marchmont PS		Orillia
95.	Simcoe County District School Board	8173	Sir William Osler PS		Bradford
96.	Simcoe County District School Board	8219	Uptergrove PS		Orillia
97.	Simcoe Muskoka Catholic District School Board	8298	Notre Dame		Orillia

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
98.	Simcoe Muskoka Catholic District School Board	8310	St Charles		Bradford
99.	St. Clair Catholic District School Board	4527	St. Vincent Catholic S		Chatham
100.	Sudbury Catholic District School Board	3766	St Christopher Sep S		Sudbury
101.	Thames Valley District School Board	22	Adelaide - W G MacDonald PS		Strathroy
102.	Thames Valley District School Board	322	Caradoc North PS		Strathroy
103.	Thames Valley District School Board	680	East Oxford PS		Woodstock
104.	Thames Valley District School Board	1535	Metcalfe Central PS		Strathroy
105.	Thames Valley District School Board	2578	New Sarum PS		St. Thomas
106.	Thames Valley District School Board	2194	Southwold PS		St. Thomas
107.	Thames Valley District School Board	1429	Summer's Corners PS		Aylmer
108.	Thames Valley District School Board	9932	Sweaburg PS		Woodstock
109.	Thames Valley District School Board	2314	Tollgate Central PS		Woodstock
110.	Trillium Lakelands District School Board	5892		Adult Ed. & Trg Centre (Lindsay C & VI Annex-Angeline Street South)	Lindsay
111.	Trillium Lakelands District School Board	274	Riverside PS		Huntsville
112.	Upper Canada District School Board	50	Algonquin Public School		Brockville
113.	Upper Canada District School Board	160	Beckwith PS		Carleton Place
114.	Upper Canada District School Board	631	Drummond Central PS		Perth
115.	Upper Canada District School Board	917	Glen Tay PS		Perth
116.	Upper Canada District School Board	10552	Montague Public School (New School)		Smiths Falls
117.	Upper Canada District School Board	737	North Elmsley PS		Perth
118.	Upper Grand District School Board	1899	Aberfoyle PS		Guelph
119.	Upper Grand District School Board	10487		Centre Wellington District High School	Fergus
120.	Upper Grand District School Board	9432	Laurelwoods ES		Laurel
121.	Upper Grand District School Board	1838	Ponsonby PS		Guelph
122.	Waterloo Region District School Board	829	Floradale PS		Elmira
123.	Windsor-Essex Catholic District School Board	4084	St Joseph Sep S		River Canard
124.	Windsor-Essex Catholic District School Board	4406	St Peter Sep S		Tecumseh
125.	Windsor-Essex Catholic District School Board	4571		St Thomas of Villanova SS	La Salle
126.	York Region District School Board	119	Ballantrae PS		Stouffville
127.	York Region District School Board	2490	Whitchurch Highlands PS		Stouffville



**RÈGLEMENT DE L'ONTARIO 85/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 2 avril 2008

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imprimé dans la *Gazette de l'Ontario* le 26 avril 2008**SUBVENTIONS POUR LES BESOINS DES ÉLÈVES — SUBVENTIONS GÉNÉRALES POUR L'EXERCICE 2008-2009 DES CONSEILS SCOLAIRES****SOMMAIRE****PARTIE I  
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## PARTIE I DISPOSITIONS GÉNÉRALES

### Application et interprétation

1. (1) Le présent règlement s'applique aux conseils pour l'exercice 2008-2009 et aux administrations responsables en ce qui a trait aux paiements visant la période allant du 1<sup>er</sup> septembre 2008 au 31 août 2009.

(2) Les définitions qui suivent s'appliquent au présent règlement.

«ALF» Actualisation linguistique en français. («ALF»)

«conseil créé en vertu de l'article 68» Conseil créé en vertu de l'article 68 de la Loi. («section 68 board»)

«conseil isolé» Administration scolaire, à l'exclusion d'un conseil créé en vertu de l'article 68. («isolate board»)

«cours d'études personnelles» S'entend au sens du règlement sur l'effectif quotidien moyen de 2008-2009. («independent study course»)

«école élémentaire rurale» À l'égard d'un conseil, école élémentaire dont l'effectif de 2008-2009, au sens du paragraphe 45 (2), est supérieur à zéro et qui remplit au moins un des deux critères suivants :

1. Le 31 octobre 2008, le deuxième caractère du code postal de l'école est 0.
2. L'école figure à la colonne 3 du tableau 27 en regard du nom du conseil à la colonne 1 de ce tableau. («rural elementary school»)

«école secondaire rurale» À l'égard d'un conseil, école secondaire dont l'effectif de 2008-2009, au sens du paragraphe 45 (2), est supérieur à zéro et qui remplit au moins un des deux critères suivants :

1. Le 31 octobre 2008, le deuxième caractère du code postal de l'école est 0.
2. L'école figure à la colonne 4 du tableau 27 en regard du nom du conseil à la colonne 1 de ce tableau. («rural secondary school»)

«ELD» English literacy development. («ELD»)

«élève à mi-temps» S'entend au sens du règlement sur l'effectif quotidien moyen de 2008-2009. («half-time pupil»)

«élève à temps partiel» S'entend au sens du règlement sur l'effectif quotidien moyen de 2008-2009. («part-time pupil»)

«élève à temps plein» S'entend au sens du règlement sur l'effectif quotidien moyen de 2008-2009. («full-time pupil»)

«élève de l'élémentaire» Élève inscrit à la maternelle, au jardin d'enfants ou à l'une des huit premières années d'études. («elementary school pupil»)

«élève du secondaire» Élève inscrit à la neuvième, dixième, onzième ou douzième année d'études. («secondary school pupil»)

«ESL» English as a second language. («ESL»)

«horaire» S'entend au sens du règlement sur l'effectif quotidien moyen de 2008-2009. («cycle»)

«immobilisation» S'entend de ce qui suit :

- a) l'emplacement scolaire qui offre ou est capable d'offrir des installations d'accueil pour les élèves et son agrandissement et l'amélioration qui y est apportée;
- b) le bâtiment scolaire, un accessoire fixe d'un bâtiment scolaire ou un accessoire fixe d'un bien scolaire, ainsi que son agrandissement, sa transformation, sa rénovation ou les réparations importantes qui y sont apportées;
- c) les meubles et le matériel qui doivent servir dans les bâtiments scolaires;
- d) les documents de bibliothèque nécessaires à la dotation initiale d'une bibliothèque en matériel dans un bâtiment scolaire;
- e) les installations situées sur un bien scolaire et servant à fournir à un bâtiment scolaire situé sur ce bien des services d'alimentation en eau, en électricité ou en gaz naturel, d'égouts, de fosses septiques, de chauffage, de climatisation, de téléphone ou de câblodistribution, ainsi que leur transformation, leur remplacement ou les réparations importantes qui y sont apportées;
- f) la modification du niveau, du drainage ou de la surface des biens scolaires. («capital asset»)

«PDF» Perfectionnement du français. («PDF»)

«recettes provenant d'autres sources» Relativement à un conseil scolaire de district, s'entend des recettes du conseil autres que les suivantes :

- a) les subventions payables au conseil en application du présent règlement;



- b) la somme qui correspondrait aux recettes fiscales de 2008-2009 du conseil si aucune somme ne devait être déduite en application de la disposition 3 ou 4 du paragraphe 14 (1);
  - c) les sommes transférées d'un fonds de réserve. («revenue from other sources»)
- «règlement sur l'effectif quotidien moyen de 2008-2009» Le Règlement de l'Ontario 83/08 (Calcul de l'effectif quotidien moyen pour l'exercice 2008-2009 des conseils scolaires) pris en application de la Loi. («2008-2009 A.D.E. regulation»)
- «règlement sur les droits de 2008-2009» Le Règlement de l'Ontario 84/08 (Calcul des droits exigibles à l'égard des élèves pour l'exercice 2008-2009 des conseils scolaires) pris en application de la Loi. («2008-2009 fees regulation»)
- «règlement sur les subventions de 2003-2004» Le Règlement de l'Ontario 139/03 (Financement axé sur les besoins des élèves — subventions générales pour l'exercice 2003-2004 des conseils scolaires) pris en application de la Loi. («2003-2004 grant regulation»)
- «règlement sur les subventions de 2004-2005» Le Règlement de l'Ontario 145/04 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2004-2005 des conseils scolaires) pris en application de la Loi. («2004-2005 grant regulation»)
- «règlement sur les subventions de 2005-2006» Le Règlement de l'Ontario 400/05 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2005-2006 des conseils scolaires) pris en application de la Loi. («2005-2006 grant regulation»)
- «règlement sur les subventions de 2006-2007» Le Règlement de l'Ontario 341/06 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2006-2007 des conseils scolaires) pris en application de la Loi. («2006-2007 grant regulation»)
- «règlement sur les subventions de 2007-2008» Le Règlement de l'Ontario 152/07 (Subventions pour les besoins des élèves — subventions générales pour l'exercice 2007-2008 des conseils scolaires) pris en application de la Loi. («2007-2008 grant regulation»)

#### Exercice

2. Les exercices mentionnés au présent règlement commencent le 1<sup>er</sup> septembre et se terminent le 31 août.

#### Documents mentionnés au présent règlement

3. (1) Le public peut consulter le Guide d'instructions, daté de 2002, qui est mentionné à la disposition 1 du paragraphe 16 (3) et aux dispositions 1 et 50 du paragraphe 49 (1) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

(2) Le public peut consulter le document intitulé «Le financement de l'éducation de l'enfance en difficulté : lignes directrices sur la somme liée à l'équipement personnalisé (SEP) et la somme liée à l'incidence spéciale (SIS) — 2008-09», daté du printemps 2008, qui est mentionné aux alinéas 20 (1) a), 22 (1) a) et 64 (2) a) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

(3) Le public peut consulter le système uniforme de codage des cours qui est mentionné aux paragraphes 26 (4) et 31 (6) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

(4) Le public peut consulter le document intitulé «Les écoles secondaires de l'Ontario, de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999» qui est mentionné aux dispositions 1, 2 et 3 du paragraphe 37 (5) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

(5) Le public peut consulter le Formulaire de données A 2005 qui est mentionné aux dispositions 4 et 5 du paragraphe 40 (7) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation.

(6) Le public peut consulter aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère le document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 1», qui est mentionné à l'alinéa 48 (2) a), celui intitulé «Lieux propices à l'apprentissage : Allocation de la phase 2», qui est mentionné à l'alinéa 48 (3) a) et celui intitulé «Lieux propices à l'apprentissage : Allocation de la phase 3», qui est mentionné à l'alinéa 48 (4) a).

(7) Le public peut consulter le rapport du Comité d'étude des subventions pour les installations destinées aux élèves, daté d'août 1998, qui est mentionné à la disposition 1 du paragraphe 56 (6) aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation et sur le site Web du ministère.

#### Élève d'un conseil

4. (1) Sous réserve des paragraphes (2) et (3), pour l'application du présent règlement, un élève est un élève d'un conseil s'il est inscrit à une école qui relève du conseil.

(2) L'élève qui reçoit un enseignement dans un programme d'enseignement dispensé par un conseil qui est un programme d'enseignement admissible au sens du paragraphe 23 (2) n'est pas un élève inscrit à une école qui relève du conseil pour l'application du paragraphe (1).

(3) Pour l'application du présent règlement, les élèves suivants ne sont pas des élèves d'un conseil même s'ils sont inscrits à une école du conseil :

1. Les élèves qui sont des Indiens inscrits résidant dans une réserve au sens de la *Loi sur les Indiens* (Canada).
2. Les élèves qui sont tenus de verser les droits précisés au paragraphe 49 (6) de la Loi.
3. Les élèves à l'égard desquels le conseil peut imposer des droits en vertu de l'article 5 du règlement sur les droits de 2008-2009.

#### Effectif

5. (1) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves d'un conseil pour 2008-2009 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 2008-2009, en comptant tous les élèves du conseil qui ne sont pas des élèves du secondaire âgés de 21 ans ou plus le 31 décembre 2008.

(2) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves de l'élémentaire d'un conseil pour 2008-2009 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves de l'élémentaire du conseil.

(3) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves du secondaire d'un conseil pour 2008-2009 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves du secondaire du conseil qui sont âgés de moins de 21 ans le 31 décembre 2008.

(4) Pour l'application du présent règlement, l'effectif de jour à temps plein ou l'équivalent d'un conseil au 31 octobre 2008 est calculé selon la formule suivante :

$$A + B + C/D$$

où :

- «A» représente le nombre d'élèves à temps plein du conseil inscrits le 31 octobre 2008, à l'exclusion des élèves du secondaire qui sont âgés d'au moins 21 ans le 31 décembre 2008;
- «B» représente 0,5 fois le nombre d'élèves à mi-temps du conseil inscrits le 31 octobre 2008;
- «C» représente le total de tous les nombres dont chacun est calculé pour chaque élève à temps partiel du conseil inscrit le 31 octobre 2008, à l'exclusion de l'élève du secondaire qui est âgé d'au moins 21 ans le 31 décembre 2008, et correspond au nombre de minutes pour lesquelles il est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut le 31 octobre 2008, à un cours autre qu'un cours d'études personnelles;
- «D» représente le produit du nombre de jours que compte l'horaire visé à la définition de «C» par 300.

(5) Si le présent règlement exige que les élèves soient dénombrés, mais qu'il ne prévoit pas que le dénombrement soit effectué en fonction de l'effectif quotidien moyen ou de l'effectif à temps plein ou l'équivalent, chaque élève, qu'il soit à temps plein, à mi-temps ou à temps partiel, compte pour un élève.

#### Niveau d'exactitude

6. (1) Le dénombrement des élèves qui est effectué pour l'application du présent règlement en fonction de l'effectif quotidien moyen ou de l'effectif à temps plein ou l'équivalent se fait à deux décimales près.

(2) Le dénombrement des enseignants ou des aides-enseignants qui est effectué pour l'application du présent règlement en fonction de l'équivalence à temps plein se fait à une décimale près.

#### Subventions générales

7. (1) La subvention générale payable pour l'exercice à un conseil scolaire de district correspond à la somme calculée en application de la partie II.

(2) La subvention générale payable pour l'exercice à un conseil isolé correspond à la somme calculée en application de l'article 63.

(3) La subvention générale payable pour l'exercice à un conseil créé en vertu de l'article 68 correspond à la somme calculée en application de l'article 64.

#### Versements

8. Les subventions générales payables en application du présent règlement se fondent sur des estimations pendant l'exercice. Les redressements éventuels nécessaires sont effectués lorsque les données, notamment les données financières et l'effectif réels, sont connues.



**Conditions du versement des subventions**

9. (1) L'obligation pour les conseils de se conformer aux lois dont l'application relève du ministre et aux textes pris en application de telles lois, notamment des règlements, des politiques, des lignes directrices ou des directives, est une condition du versement des subventions prévues par le présent règlement.

(2) Si le conseil contrevient à une loi dont l'application relève du ministre ou à un texte pris en application d'une telle loi, notamment un règlement, une politique, une ligne directrice ou une directive, le ministre peut retenir tout ou partie de la subvention qui lui est payable par ailleurs en application de la Loi.

**Redressement du trop-payé**

10. Si un conseil a reçu une somme supérieure à celle qui lui était payable en application d'un règlement sur les subventions générales, le trop-payé, s'il n'a pas été déduit des subventions qui lui sont payables en application d'autres règlements sur les subventions générales, est déduit de celles qui lui sont payables en application du présent règlement.

**Redressement du moins-payé**

11. Si un conseil a reçu une somme inférieure à celle qui lui était payable en application d'un règlement sur les subventions générales, le moins-payé qui reste impayé est ajouté aux subventions qui lui sont payables en application du présent règlement.

**PARTIE II****SUBVENTIONS EN FAVEUR DES CONSEILS SCOLAIRES DE DISTRICT****Éléments de la subvention**

12. Un conseil scolaire de district a droit aux éléments suivants, selon les montants calculés en application de la présente partie, lors du calcul de la subvention qui lui est payable pour l'exercice :

1. Éducation de base pour les élèves.
2. Éducation de base pour les écoles.
3. Effectif des classes du cycle primaire.
4. Éducation de l'enfance en difficulté.
5. Enseignement des langues.
6. Supplément pour l'éducation des Premières nations, des Métis et des Inuits.
7. Ressources d'apprentissage pour écoles éloignées et écoles excentrées.
8. Conseils ruraux et éloignés.
9. Collectivités rurales et de petite taille.
10. Programmes d'aide à l'apprentissage.
11. Sécurité dans les écoles.
12. Éducation permanente et autres programmes.
13. Redressement des coûts et programme d'insertion professionnelle du nouveau personnel enseignant.
14. Transport des élèves.
15. Administration et gestion.
16. Amélioration des programmes.
17. Utilisation communautaire des écoles.
18. Installations d'accueil pour les élèves.
19. Service de la dette.

**Montant de la subvention**

13. La subvention payable à un conseil scolaire de district pour l'exercice correspond à la somme calculée selon la formule suivante :

$$(A + B) - (C + D + E)$$

où :

- «A» représente le montant total des éléments auxquels le conseil a droit pour l'exercice;
- «B» représente le redressement pour baisse des effectifs du conseil pour l'exercice;
- «C» représente les recettes fiscales de 2008-2009 du conseil, calculées en application du présent règlement;



«D» représente le total des droits que le conseil reçoit pour l'exercice à l'égard d'élèves visés au paragraphe 46 (2) de la Loi, calculés en application de l'article 4 du règlement sur les droits de 2008-2009;

«E» représente la somme visée au paragraphe 233 (1) de la Loi qui se trouve dans le fonds de réserve du conseil le 31 août 2009 avant le virement prévu au paragraphe 233 (2) de la Loi.

#### Recettes fiscales de 2008-2009

14. (1) Les recettes fiscales de 2008-2009 d'un conseil scolaire de district sont calculées de la manière suivante :

1. Additionner ce qui suit :

i. 38 pour cent de la somme de ce qui suit :

- A. le total des sommes remises au conseil à l'égard de l'année civile 2008 en application des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la *Loi sur l'éducation*, des articles 447.20 et 447.52 de la *Loi sur les municipalités*, tels qu'ils s'appliquent par l'effet de l'article 474 de la *Loi de 2001 sur les municipalités*, des paragraphes 364 (22) et 365.2 (16) de la *Loi de 2001 sur les municipalités*, des paragraphes 331 (22) et 334 (14) de la *Loi de 2006 sur la cité de Toronto*, de l'article 10 du Règlement de l'Ontario 509/98 intitulé «Tax Matters — Relief in Unorganized Territory (Section 257.2.1 of the Act)» pris en application de la Loi et du paragraphe 13 (2) du Règlement de l'Ontario 3/02 intitulé «Tax Relief in Unorganized Territory for 2001 and Subsequent Years» pris en application de la Loi,
- B. les sommes éventuelles visées au paragraphe 364 (22) de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet de l'article 257.12.3 de la *Loi sur l'éducation*, qui sont versées au conseil à l'égard de l'année civile 2008,
- C. le total de toutes les sommes éventuelles que le conseil reçoit d'une municipalité à l'égard de l'année civile 2008 en application des paragraphes 353 (4) et (4.1) et 366 (3) de la *Loi de 2001 sur les municipalités* ou des paragraphes 318 (4) et (4.1) et 336 (3) de la *Loi de 2006 sur la cité de Toronto*,
- D. les sommes éventuelles que le conseil affecte au paiement du coût d'annulation de biens-fonds vendus pour arriérés d'impôts pendant l'année civile 2008, en application des articles 380 et 380.1 de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet du paragraphe 371 (2) de cette loi,
- E. les paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2008 en vertu du paragraphe 322 (1) de la *Loi de 2001 sur les municipalités* ou du paragraphe 284 (1) de la *Loi de 2006 sur la cité de Toronto*,
- F. les subventions éventuelles versées au conseil à l'égard de l'année civile 2008 en vertu du paragraphe 302 (2) de la *Loi de 2001 sur les municipalités* ou du paragraphe 238 (2) de la *Loi de 2006 sur la cité de Toronto*,
- G. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2008 en vertu de la *Loi sur les paiements versés en remplacement d'impôts* (Canada) et en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
- H. les sommes éventuelles versées au conseil à l'égard de l'année civile 2008 en vertu des paragraphes 9 (2) et (4) de la *Loi de 2002 sur les zones d'allégement fiscal (projets pilotes)*,

ii. 62 pour cent de la somme de ce qui suit :

- A. le total des sommes remises au conseil à l'égard de l'année civile 2009 en application des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la *Loi sur l'éducation*, des articles 447.20 et 447.52 de la *Loi sur les municipalités*, tels qu'ils s'appliquent par l'effet de l'article 474 de la *Loi de 2001 sur les municipalités*, des paragraphes 364 (22) et 365.2 (16) de la *Loi de 2001 sur les municipalités*, des paragraphes 331 (22) et 334 (14) de la *Loi de 2006 sur la cité de Toronto*, de l'article 10 du Règlement de l'Ontario 509/98 et du paragraphe 13 (2) du Règlement de l'Ontario 3/02,
- B. les sommes éventuelles visées au paragraphe 364 (22) de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet de l'article 257.12.3 de la *Loi sur l'éducation*, qui sont versées au conseil à l'égard de l'année civile 2009,
- C. le total de toutes les sommes éventuelles versées au conseil à l'égard de l'année civile 2009 en application des paragraphes 353 (4) et (4.1) et 366 (3) de la *Loi de 2001 sur les municipalités* ou des paragraphes 318 (4) et (4.1) et 336 (3) de la *Loi de 2006 sur la cité de Toronto*,
- D. les sommes éventuelles que le conseil affecte au paiement du coût d'annulation de biens-fonds vendus pour arriérés d'impôts pendant l'année civile 2009, en application des articles 380 et 380.1 de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet du paragraphe 371 (2) de cette loi,

- E. les paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2009 en vertu du paragraphe 322 (1) de la *Loi de 2001 sur les municipalités* ou du paragraphe 284 (1) de la *Loi de 2006 sur la cité de Toronto*,
  - F. les subventions éventuelles versées au conseil à l'égard de l'année civile 2009 en vertu du paragraphe 302 (2) de la *Loi de 2001 sur les municipalités* ou du paragraphe 238 (2) de la *Loi de 2006 sur la cité de Toronto*,
  - G. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2009 en vertu de la *Loi sur les paiements versés en remplacement d'impôts* (Canada) et en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
  - H. les sommes éventuelles versées au conseil à l'égard de l'année civile 2009 en vertu des paragraphes 9 (2) et (4) de la *Loi de 2002 sur les zones d'allégement fiscal (projets pilotes)*,
  - iii. le total des impôts que le conseil reçoit à l'égard de l'année civile 2008 en application de l'article 35 de la *Loi sur l'évaluation foncière*,
  - iv. le total des sommes éventuelles remises au conseil au cours de l'exercice en application du paragraphe 2 (2) du Règlement de l'Ontario 365/98 (Arriérés d'impôts scolaires d'avant 1998) pris en application de la Loi,
  - v. le total des sommes éventuelles versées au conseil au cours de l'exercice en application de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98 (Arriérés d'impôts dans les secteurs annexés) pris en application de la Loi.
2. Calculer la différence entre les sommes suivantes et la déduire si la somme visée à la sous-disposition i est inférieure à celle visée à la sous-disposition ii ou l'ajouter si elle lui est supérieure :
    - i. La somme calculée en application de la sous-disposition 1 ii du paragraphe 14 (1) du règlement sur les subventions de 2007-2008 aux fins du calcul de la somme payable au conseil à titre de subvention générale à l'égard de l'exercice 2007-2008.
    - ii. La somme qui aurait été calculée en application de la sous-disposition 1 ii du paragraphe 14 (1) du règlement sur les subventions de 2007-2008 si elle avait été calculée en se fondant sur les états financiers annuels du conseil tels qu'ils ont été présentés au ministère pour l'exercice 2007-2008.
  3. Si le conseil est tenu de prélever des impôts scolaires à l'égard de biens situés dans un territoire non érigé en municipalité, déduire le total des sommes calculées à l'égard du conseil en application des sous-dispositions 3 i, ii et iii du paragraphe 14 (1) du règlement sur les subventions de 2007-2008.
  4. Déduire les frais dont le conseil est redevable en application de la *Loi de 1996 sur les élections municipales* et qu'il engage pendant l'exercice pour tenir l'élection de membres dans un territoire non érigé en municipalité qui est réputé une municipalité de district pour l'application de l'alinéa 257.12 (3) a) de la *Loi sur l'éducation*.
  5. Déduire les sommes qu'un conseil municipal a exigées du conseil pendant l'année civile 2008 en application de l'article 353 de la *Loi de 2001 sur les municipalités* ou de l'article 318 de la *Loi de 2006 sur la cité de Toronto*, y compris les sommes exigées en application de cet article par suite d'une loi d'intérêt privé.
  6. Déduire le total des sommes que le conseil remet, paie ou porte au crédit de quelqu'un en application des articles 257.2.1 et 257.12.3 de la Loi pendant l'exercice.
  7. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2008 en application de la disposition 3 du paragraphe 7 (4) du Règlement de l'Ontario 3/02 et des paragraphes 361 (7), 364 (11), 365 (3), 365.1 (13) à (15) et 365.2 (8) de la *Loi de 2001 sur les municipalités* ou des paragraphes 329 (6), 331 (11), 332 (2), 333 (14) et (16) et 334 (6) de la *Loi de 2006 sur la cité de Toronto*.
  8. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2009 en application de la disposition 3 du paragraphe 7 (4) du Règlement de l'Ontario 3/02 et des paragraphes 361 (7), 364 (11), 365 (3), 365.1 (13) à (15) et 365.2 (8) de la *Loi de 2001 sur les municipalités* ou des paragraphes 329 (6), 331 (11), 332 (2), 333 (14) et (16) et 334 (6) de la *Loi de 2006 sur la cité de Toronto*.
- (2) Les règles suivantes s'appliquent au calcul des recettes fiscales de 2008-2009 d'un conseil scolaire de district :
1. Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2008 en application des articles 257.10.1 et 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2008 en application d'une disposition de la Loi visée à la sous-sous-disposition 1 i A du paragraphe (1).
  2. Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2009 en application de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2009 en application d'une disposition de la Loi visée à la sous-sous-disposition 1 ii A du paragraphe (1).



**Élément éducation de base pour les élèves**

15. L'élément éducation de base pour les élèves d'un conseil scolaire de district pour l'exercice est calculé en additionnant les sommes suivantes :

1. La somme calculée en multipliant par 3 970,83 \$ l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009.
2. La somme calculée en multipliant par 5 109,81 \$ l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009.

**Élément éducation de base pour les écoles**

16. (1) L'élément éducation de base pour les écoles d'un conseil scolaire de district pour l'exercice est calculé en additionnant les sommes suivantes :

1. La somme liée aux directeurs d'école calculée en application du paragraphe (4).
2. La somme liée aux directeurs adjoints calculée en application du paragraphe (5).
3. La somme liée aux secrétaires d'école calculée en application du paragraphe (6).
4. La somme liée aux fournitures scolaires calculée en application du paragraphe (7).

(2) Les définitions qui suivent s'appliquent au présent article.

«effectif combiné de 2008-2009» Relativement à une école combinée admissible d'un conseil, l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, calculé en ne comptant que les élèves inscrits aux écoles faisant partie de l'école combinée admissible. («2008-2009 combined enrolment»)

«effectif de 2008-2009» Relativement à une école élémentaire ou secondaire admissible du conseil, l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, calculé en ne comptant que les élèves inscrits à l'école. («2008-2009 enrolment»)

(3) Pour l'application du présent article, les règles suivantes permettent d'établir si une école est une école élémentaire admissible ou une école secondaire admissible ou si elle fait partie d'une école combinée admissible :

1. Une école du conseil est une école élémentaire ou secondaire admissible si elle a été désignée comme une école élémentaire ou secondaire conformément au Guide d'instructions, que l'on peut consulter de la manière indiquée au paragraphe 3 (1), et que son effectif de 2008-2009 est d'au moins un élève.
2. Si une ou plusieurs écoles élémentaires admissibles du conseil et une ou plusieurs écoles secondaires admissibles du conseil sont situées sur le même emplacement scolaire, elles forment une école combinée admissible du conseil.
3. L'école admissible qui ne fait pas partie d'une école combinée admissible est une école élémentaire admissible ou une école secondaire admissible, selon le cas.
4. Malgré la disposition 3, deux écoles élémentaires admissibles ou plus du conseil sont traitées comme s'il s'agissait d'une seule école élémentaire admissible si, selon le cas :
  - i. le conseil les a déclarées ensemble dans les rapports des écoles qu'il a présentés au ministère pour l'année scolaire 2008-2009,
  - ii. les écoles sont situées sur le même emplacement scolaire.
5. Malgré la disposition 3, deux écoles secondaires admissibles ou plus du conseil sont traitées comme s'il s'agissait d'une seule école secondaire admissible si, selon le cas :
  - i. le conseil les a déclarées ensemble dans les rapports des écoles qu'il a présentés au ministère pour l'année scolaire 2008-2009,
  - ii. les écoles sont situées sur le même emplacement scolaire.

(4) La somme liée aux directeurs d'école est calculée de la manière suivante :

1. Multiplier par 55 979,95 \$ le nombre d'écoles élémentaires admissibles du conseil dont l'effectif de 2008-2009 est inférieur ou égal à 50 élèves.
2. Multiplier par 111 959,91 \$ le nombre d'écoles élémentaires admissibles du conseil dont l'effectif de 2008-2009 est supérieur à 50 élèves.
3. Additionner les nombres suivants :
  - i. Le nombre d'écoles secondaires admissibles du conseil dont l'effectif de 2008-2009 est supérieur à 50 élèves.
  - ii. Le nombre d'écoles combinées admissibles du conseil dont l'effectif combiné de 2008-2009 est supérieur à 50 élèves.



iii. Le nombre d'écoles combinées admissibles du conseil :

- A. dont l'effectif total de 2008-2009 des écoles élémentaires admissibles qui en font partie est supérieur à 300 élèves,
- B. dont l'effectif total de 2008-2009 des écoles secondaires admissibles qui en font partie est supérieur à 500 élèves.

- 4. Multiplier par 122 101,12 \$ le nombre obtenu en application de la disposition 3.
  - 5. Ajouter le nombre d'écoles secondaires admissibles du conseil dont l'effectif de 2008-2009 est inférieur ou égal à 50 élèves au nombre d'écoles combinées admissibles du conseil dont l'effectif combiné de 2008-2009 est inférieur ou égal à 50 élèves.
  - 6. Multiplier par 61 050,56 \$ le nombre obtenu en application de la disposition 5.
  - 7. Additionner les sommes calculées en application des dispositions 1, 2, 4 et 6.
- (5) La somme liée aux directeurs adjoints est calculée de la manière suivante :

- 1. Calculer ce qui suit pour chaque école élémentaire admissible du conseil dont l'effectif de 2008-2009 est inférieur à 500 élèves :

$$(A - 250) \times 0,003$$

où :

«A» représente l'effectif de 2008-2009 de l'école.

- 2. Si le produit obtenu en application de la disposition 1 est négatif, il est réputé nul.
- 3. Additionner les nombres obtenus en application de la disposition 1 pour les écoles élémentaires admissibles du conseil.
- 4. Calculer ce qui suit pour chaque école élémentaire admissible du conseil dont l'effectif de 2008-2009 est supérieur ou égal à 500 élèves mais inférieur à 1 000 élèves :

$$0,75 + ((A - 500) \times 0,0025)$$

où :

«A» représente l'effectif de 2008-2009 de l'école.

- 5. Additionner les nombres obtenus en application de la disposition 4 pour les écoles élémentaires admissibles du conseil.
- 6. Multiplier par 2 le nombre d'écoles élémentaires admissibles du conseil dont l'effectif de 2008-2009 est supérieur ou égal à 1 000 élèves.
- 7. Additionner les nombres obtenus en application des dispositions 3, 5 et 6.
- 8. Multiplier par 106 048,28 \$ le nombre obtenu en application de la disposition 7.
- 9. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est inférieur à 500 élèves :

$$(A - 100) \times 0,0025$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

- 10. Si le produit obtenu en application de la disposition 9 est négatif, il est réputé nul.
- 11. Additionner les nombres obtenus en application de la disposition 9 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
- 12. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est supérieur ou égal à 500 élèves mais inférieur à 1 500 élèves :

$$1 + ((A - 500) \times 0,0020)$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

- 13. Additionner les nombres obtenus en application de la disposition 12 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
- 14. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est supérieur ou égal à 1 500 élèves :

$$3 + ((A - 1\,500) \times 0,0010)$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

15. Additionner les nombres obtenus en application de la disposition 14 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
16. Additionner les nombres obtenus en application des dispositions 11, 13 et 15.
17. Multiplier par 111 877,70 \$ le nombre obtenu en application de la disposition 16.
18. Additionner les sommes calculées en application des dispositions 8 et 17.
- (6) La somme liée aux secrétaires d'école est calculée de la manière suivante :

1. Calculer le nombre d'écoles élémentaires admissibles du conseil dont l'effectif de 2008-2009 est inférieur à 100 élèves.
2. Calculer ce qui suit pour chaque école élémentaire admissible du conseil dont l'effectif de 2008-2009 est supérieur ou égal à 100 élèves mais inférieur à 300 élèves :

$$1 + ((A - 100) \times 0,00125)$$

où :

«A» représente l'effectif de 2008-2009 de l'école.

3. Additionner les nombres obtenus en application de la disposition 2 pour les écoles élémentaires admissibles du conseil.
4. Calculer ce qui suit pour chaque école élémentaire admissible du conseil dont l'effectif de 2008-2009 est supérieur ou égal à 300 élèves mais inférieur à 500 élèves :

$$1,25 + ((A - 300) \times 0,0025)$$

où :

«A» représente l'effectif de 2008-2009 de l'école.

5. Additionner les nombres obtenus en application de la disposition 4 pour les écoles élémentaires admissibles du conseil.
6. Calculer ce qui suit pour chaque école élémentaire admissible du conseil dont l'effectif de 2008-2009 est supérieur ou égal à 500 élèves :

$$1,75 + ((A - 500) \times 0,0035)$$

où :

«A» représente l'effectif de 2008-2009 de l'école.

7. Additionner les nombres obtenus en application de la disposition 6 pour les écoles élémentaires admissibles du conseil.
8. Additionner les nombres obtenus en application des dispositions 1, 3, 5 et 7.
9. Multiplier par 46 059,83 \$ le nombre obtenu en application de la disposition 8.
10. Ajouter le nombre d'écoles secondaires admissibles du conseil dont l'effectif de 2008-2009 est inférieur à 100 élèves au nombre d'écoles combinées admissibles du conseil dont l'effectif combiné de 2008-2009 est inférieur à 100 élèves.
11. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est supérieur ou égal à 100 élèves mais inférieur à 500 élèves :

$$1 + ((A - 100) \times 0,003125)$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

12. Additionner les nombres obtenus en application de la disposition 11 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
13. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est supérieur ou égal à 500 élèves mais inférieur à 1 000 élèves :

$$2,25 + ((A - 500) \times 0,0055)$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

14. Additionner les nombres obtenus en application de la disposition 13 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
15. Calculer ce qui suit pour chaque école secondaire admissible ou école combinée admissible du conseil dont l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, est supérieur ou égal à 1 000 élèves :

$$5 + ((A - 1\,000) \times 0,0040)$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école.

16. Additionner les nombres obtenus en application de la disposition 15 pour les écoles secondaires admissibles et les écoles combinées admissibles du conseil.
17. Additionner les nombres obtenus à l'égard du conseil en application des dispositions 10, 12, 14 et 16.
18. Multiplier par 48 521,72 \$ le nombre obtenu en application de la disposition 17.
19. Additionner les sommes calculées en application des dispositions 9 et 18.
- (7) La somme liée aux fournitures scolaires est calculée de la manière suivante :
  1. Multiplier par 2 050 \$ le nombre d'écoles élémentaires admissibles du conseil.
  2. Additionner les effectifs de 2008-2009 des écoles élémentaires admissibles du conseil.
  3. Multiplier par 6,06 \$ le nombre obtenu en application de la disposition 2.
  4. Additionner les sommes calculées en application des dispositions 1 et 3.
  5. Multiplier par 3 050 \$ le nombre d'écoles secondaires admissibles du conseil.
  6. Additionner les effectifs de 2008-2009 des écoles secondaires admissibles du conseil.
  7. Multiplier par 7,07 \$ le nombre obtenu en application de la disposition 6.
  8. Additionner les sommes calculées en application des dispositions 5 et 7.
  9. Multiplier par 3 050 \$ le nombre d'écoles combinées admissibles du conseil.
  10. Additionner les effectifs combinés de 2008-2009 des écoles combinées admissibles du conseil.
  11. Multiplier par 7,07 \$ le nombre obtenu en application de la disposition 10.
  12. Additionner les sommes calculées en application des dispositions 9 et 11.
  13. Additionner les sommes calculées en application des dispositions 4, 8 et 12.

#### **Élément effectif des classes du cycle primaire**

17. (1) L'élément effectif des classes du cycle primaire d'un conseil scolaire de district pour l'exercice est calculé en multipliant 799,31 \$ par l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009, en ne comptant que les élèves inscrits à la maternelle, au jardin d'enfants et aux première, deuxième et troisième années.

(2) Le versement au conseil des subventions prévues par le présent règlement est assujéti au respect des obligations suivantes :

- a) au plus tard le 30 juin 2008, le conseil présente un plan qui indique de quelle façon il compte dispenser l'enseignement à ses élèves de l'élémentaire au cours de l'exercice 2008-2009;
  - b) au plus tard le 31 octobre 2008, le conseil présente un rapport qui indique de quelle façon il dispense effectivement l'enseignement à ses élèves de l'élémentaire au cours de l'exercice 2008-2009 en fonction de son effectif, tel qu'il s'établit à une date située entre le 2 et le 30 septembre 2008.
- (3) Le ministre peut retenir tout ou partie de la subvention qui est payable par ailleurs à un conseil scolaire de district en application de la Loi dans l'un ou l'autre des cas suivants :
- a) le conseil ne respecte pas une obligation énoncée au paragraphe (2);
  - b) le plan ou le rapport prévu au paragraphe (2) indique que les classes des écoles du conseil, à l'exclusion de celles à l'intention des élèves en difficulté situées dans une salle distincte, ne remplissent pas les critères suivants :
    - (i) Au moins 90 pour cent des classes des écoles du conseil ne comptant que des élèves du cycle primaire ont un effectif de 20 élèves ou moins.



- (ii) La classe d'une école du conseil qui compte des élèves du cycle primaire a un effectif de 23 élèves ou moins.
- (iii) La classe d'une école du conseil qui compte des élèves du cycle moyen ou des deux premières années du cycle intermédiaire a un effectif qui ne dépasse pas, en moyenne, le plus élevé des nombres suivants :
  - (A) le nombre moyen d'élèves qui étaient dans ce genre de classe pendant l'année scolaire 2003-2004,
  - (B) 25 élèves.

#### Élément éducation de l'enfance en difficulté

18. L'élément éducation de l'enfance en difficulté d'un conseil scolaire de district pour l'exercice correspond au total des sommes suivantes :

1. La somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif qui est versée au conseil pour l'exercice, calculée en application de l'article 19.
2. La demande d'équipement personnalisé du conseil pour l'exercice, calculée en application du paragraphe 20 (2).
3. La somme liée aux besoins élevés qui est versée au conseil pour l'exercice, calculée en application de l'article 21.
4. La demande pour incidence spéciale du conseil pour l'exercice, calculée en application du paragraphe 22 (2).
5. La somme liée aux établissements qui est versée au conseil pour l'exercice, calculée en application de l'article 23.

#### Somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif

19. La somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif qui est versée à un conseil pour l'exercice est calculée de la manière suivante :

1. Multiplier par 678,59 \$ l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009, en ne comptant que les élèves inscrits à la maternelle, au jardin d'enfants et aux première, deuxième et troisième années, pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour ces élèves.
2. Multiplier par 522,38 \$ l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009, en ne comptant que les élèves inscrits aux quatrième, cinquième, sixième, septième et huitième années, pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour ces élèves.
3. Multiplier par 344,88 \$ l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009 pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour ces élèves.
4. Additionner les produits obtenus en application des dispositions 1, 2 et 3 pour obtenir la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif qui est versée au conseil pour l'exercice.

#### Équipement personnalisé

20. (1) Pour l'application du paragraphe (2), une demande d'équipement personnalisé visant un élève d'un conseil scolaire de district est approuvée si les conditions suivantes sont réunies :

- a) l'élève satisfait aux critères d'admissibilité concernant l'équipement personnalisé qui sont précisés dans le document intitulé «Le financement de l'éducation de l'enfance en difficulté : lignes directrices sur la somme liée à l'équipement personnalisé (SEP) et la somme liée à l'incidence spéciale (SIS) — 2008-09», que l'on peut consulter de la manière indiquée au paragraphe 3 (2);
- b) le conseil a présenté une demande pour l'exercice à l'égard des dépenses en équipement personnalisé destiné à l'élève qui dépassent 800 \$, conformément à la publication visée à l'alinéa a), et le ministre a approuvé la demande.

(2) La demande d'équipement personnalisé d'un conseil pour l'exercice correspond au total de toutes les demandes d'équipement personnalisé approuvées à l'égard des élèves du conseil, après les redressements exigés en application de l'article 24.

#### Somme liée aux besoins élevés

21. La somme liée aux besoins élevés qui est versée à un conseil correspond à la plus élevée des sommes suivantes :

- a) celle calculée en multipliant l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 par la somme indiquée à la colonne 2 du tableau 1 en regard du nom du conseil;
- b) celle calculée pour le conseil en application de l'article 21 du règlement sur les subventions de 2007-2008.

#### Incidence spéciale

22. (1) Une demande pour incidence spéciale visant un élève d'un conseil est approuvée si les conditions suivantes sont réunies :

- a) le conseil a désigné l'élève comme élève ayant besoin d'une aide financière pour incidence spéciale, conformément au document intitulé «Le financement de l'éducation de l'enfance en difficulté : lignes directrices sur la somme liée à l'équipement personnalisé (SEP) et la somme liée à l'incidence spéciale (SIS) — 2008-09», que l'on peut consulter de la manière indiquée au paragraphe 3 (2);
- b) le conseil a présenté à l'égard de l'élève pour l'exercice une demande pour incidence spéciale qui n'est pas supérieure à 27 000 \$, conformément à la publication visée à l'alinéa a), et le ministre a approuvé la demande.

(2) La demande pour incidence spéciale d'un conseil pour l'exercice correspond au total de toutes les demandes pour incidence spéciale approuvées à l'égard des élèves du conseil, après les redressements exigés en application de l'article 24.

**Somme liée aux établissements**

**23. (1)** La somme liée aux établissements qui est versée à un conseil pour l'exercice est calculée de la manière suivante :

- 1. Calculer, conformément au paragraphe (5), la somme liée à chaque programme d'enseignement admissible que dispense le conseil en vertu d'une entente conclue avec un établissement visé au paragraphe (4).
- 2. Additionner les sommes calculées en application de la disposition 1.

(2) Un programme d'enseignement que dispense le conseil en vertu d'une entente conclue avec un établissement visé au paragraphe (4) est admissible pour l'application du présent article si les conditions suivantes sont réunies :

- 1. Le programme est dispensé par un enseignant qu'emploie le conseil.
- 2. La province n'offre aucun programme de ce genre dans l'établissement.
- 3. Le conseil a conclu une entente écrite avec l'établissement et le ministre l'a approuvée pour le motif qu'elle satisfait aux exigences du paragraphe (3).

(3) Les exigences visées à la disposition 3 du paragraphe (2) auxquelles doit satisfaire l'entente écrite sont les suivantes :

- 1. L'entente contient un plan de dotation qui indique le nombre d'enseignants et d'aides-enseignants que doit employer le conseil aux fins du programme.
- 2. L'entente précise adéquatement les responsabilités du conseil et de l'établissement.
- 3. L'entente indique le nombre de places dans le programme.

(4) Les établissements suivants sont des établissements pour l'application du présent article :

- 1. Les établissements psychiatriques.
- 2. Les établissements de bienfaisance agréés au sens de la *Loi sur les établissements de bienfaisance*.
- 3. Les agences agréées en vertu du paragraphe 8 (1) de la *Loi sur les services à l'enfance et à la famille*.
- 4. Les établissements désignés en vertu de la *Loi sur les services aux personnes ayant une déficience intellectuelle*.
- 5. Les lieux de détention provisoire, de garde en milieu ouvert ou de garde en milieu fermé maintenus ou mis sur pied en vertu de l'article 89 de la *Loi sur les services à l'enfance et à la famille*.
- 6. Les foyers de soins spéciaux titulaires d'un permis en vertu de la *Loi sur les foyers de soins spéciaux*.
- 7. Les hôpitaux approuvés par le ministre.
- 8. Les maisons de soins infirmiers exploitées en application d'un permis délivré en vertu de la *Loi sur les maisons de soins infirmiers*.
- 9. Les établissements correctionnels au sens de la *Loi sur le ministère des Services correctionnels*.
- 10. Les lieux de détention provisoire et les lieux de garde au sens de la *Loi sur le système de justice pénale pour les adolescents* (Canada).
- 11. Les foyers de soins de longue durée au sens de la *Loi de 2007 sur les foyers de soins de longue durée*.

(5) Sous réserve des paragraphes (6) et (7), la somme liée à un programme d'enseignement admissible est calculée de la manière suivante :

- 1. Prendre le moindre de ce qui suit :
  - i. les dépenses que le conseil a engagées au cours de l'exercice au titre des salaires et des avantages sociaux des enseignants qu'il emploie pour dispenser le programme,
  - ii. la somme que le conseil pourrait engager au cours de l'exercice au titre des salaires et des avantages sociaux des enseignants qu'il emploie pour dispenser le programme dans le cadre du plan de dotation visé à la disposition 1 du paragraphe (3).



2. Multiplier par 2 666 \$ le nombre d'enseignants à temps plein ou l'équivalent que le conseil emploie pour dispenser le programme. Pour l'application de la présente disposition, le dénombrement se fait selon les méthodes qu'il utilise habituellement aux fins de la dotation.
3. Prendre le moindre de ce qui suit :
  - i. les dépenses que le conseil a engagées au cours de l'exercice au titre des salaires et des avantages sociaux des aides-enseignants qu'il emploie pour aider les enseignants à dispenser le programme,
  - ii. la somme que le conseil pourrait engager au cours de l'exercice au titre des salaires et des avantages sociaux des aides-enseignants qu'il emploie dans le cadre du plan de dotation visé à la disposition 1 du paragraphe (3).
4. Multiplier par 1 302 \$ le nombre d'aides-enseignants à temps plein ou l'équivalent que le conseil emploie pour aider les enseignants à dispenser le programme. Pour l'application de la présente disposition, le dénombrement se fait selon les méthodes qu'il utilise habituellement aux fins de la dotation.
5. Calculer les dépenses que le conseil a engagées au cours de l'exercice pour acheter des meubles ou du matériel pour les salles de classe utilisées dans le cadre du programme. Sauf approbation du ministre, le total de la somme calculée pour une salle de classe en application de la présente disposition et du total de toutes les sommes reçues à l'égard de cette classe en application de dispositions semblables de règlements antérieurs sur les subventions législatives ne doit pas dépasser 3 523 \$.
6. Additionner les sommes obtenues en application des dispositions 1 à 5.

(6) Malgré le paragraphe (5), si le programme que remplace un programme d'enseignement admissible dispensé par le conseil était un programme d'enseignement dispensé par le ministère dans l'établissement, la somme calculée par ailleurs en application du présent article au titre du programme d'enseignement admissible peut être augmentée de la somme que le ministre estime appropriée compte tenu des coûts raisonnables que doit engager le conseil en ce qui concerne les dépenses rattachées au programme qui étaient engagées auparavant par le ministère et qui ne sont pas mentionnées au paragraphe (5).

(7) Malgré les paragraphes (5) et (6), la somme calculée par ailleurs en application du présent article pour un programme d'enseignement admissible est réduite de la somme que le ministre estime indiquée compte tenu des frais raisonnables que le conseil engage à l'égard du programme si celui-ci, selon le cas :

- a) a une envergure moins grande que ne le prévoit la documentation que le conseil soumet à l'examen du ministre pour l'application de la disposition 3 du paragraphe (2);
- b) n'est pas dispensé pendant l'année scolaire 2008-2009;
- c) cesse d'être dispensé pendant l'année scolaire 2008-2009.

#### **Éducation de l'enfance en difficulté, déménagement à un nouveau conseil**

24. (1) Le paragraphe (2) s'applique dans l'un ou l'autre des cas suivants :

- a) de l'équipement personnalisé a été acheté, au moyen d'une demande d'équipement personnalisé approuvée pour un conseil scolaire de district pour l'exercice ou en application de l'article 20 du règlement sur les subventions de 2007-2008 ou d'un article que celui-ci remplace dans le règlement sur les subventions d'un exercice antérieur, à l'égard d'un élève qui s'inscrit, pendant l'exercice, à une école qui relève d'un conseil scolaire de district différent ou d'un conseil créé en vertu de l'article 68;
- b) un conseil créé en vertu de l'article 68 a engagé des dépenses pour acheter de l'équipement personnalisé à l'égard d'un élève d'un conseil scolaire de district qui s'inscrit, pendant l'exercice, à une école qui relève d'un conseil scolaire de district différent.

(2) L'équipement personnalisé visé au paragraphe (1) suit l'élève au nouveau conseil, sauf si ce dernier est d'avis qu'il n'est pas pratique de le déménager.

(3) Le paragraphe (4) s'applique si une demande d'équipement personnalisé a été approuvée pour un conseil scolaire de district à l'égard d'un élève qui s'inscrit, pendant l'exercice, à une école qui relève d'un conseil scolaire de district différent.

(4) Toute fraction non dépensée de la demande d'équipement personnalisé approuvée à l'égard de l'élève est déduite de la somme calculée en application du paragraphe 20 (2) pour l'ancien conseil et est ajoutée à la somme calculée en application du même paragraphe pour le nouveau conseil.

(5) Le paragraphe (6) s'applique si l'élève réunit les conditions suivantes :

- a) il était un élève approuvé à l'égard d'une aide financière pour incidence spéciale pour un conseil scolaire de district;
- b) il s'inscrit à une école qui relève d'un conseil scolaire de district différent après la fin de l'année scolaire 2007-2008.



(6) La somme totale liée aux demandes pour incidence spéciale approuvées pour les élèves du conseil visé à l'alinéa (5) a) est réduite dans la proportion éventuelle que le ministre estime indiquée compte tenu des frais que chaque conseil engage pendant l'exercice relativement au programme d'enseignement à l'enfance en difficulté dispensé à l'élève, et la somme liée aux demandes pour incidence spéciale approuvées pour les élèves du conseil visé à l'alinéa (5) b) est augmentée dans la même proportion.

**Élément enseignement des langues — conseils de langue anglaise**

25. L'élément enseignement des langues d'un conseil scolaire de district de langue anglaise pour l'exercice est calculé en additionnant ce qui suit :

- a) la somme liée aux programmes de français langue seconde qui est versée au conseil pour l'exercice;
- b) la somme liée aux programmes d'ESL/ELD qui est versée au conseil pour l'exercice.

**Somme liée aux programmes de français langue seconde**

26. (1) La somme liée aux programmes de français langue seconde qui est versée à un conseil scolaire de district de langue anglaise pour l'exercice est calculée en additionnant ce qui suit :

- a) la somme liée aux programmes de français langue seconde concernant les élèves de l'élémentaire du conseil;
- b) la somme liée aux programmes de français langue seconde concernant les élèves du secondaire du conseil.

(2) La somme liée aux programmes de français langue seconde concernant les élèves de l'élémentaire d'un conseil est calculée de la manière suivante :

1. Multiplier par 266,67 \$ le nombre d'élèves du conseil inscrits aux quatrième, cinquième, sixième, septième et huitième années qui, le 31 octobre 2008, ont un emploi du temps prévoyant un enseignement en français pendant 20 minutes ou plus, mais moins de 60 minutes, en moyenne par jour de classe.
2. Multiplier par 303,82 \$ le nombre d'élèves du conseil inscrits aux quatrième, cinquième, sixième, septième et huitième années qui, le 31 octobre 2008, ont un emploi du temps prévoyant un enseignement en français pendant 60 minutes ou plus, mais moins de 150 minutes, en moyenne par jour de classe.
3. Multiplier par 339,89 \$ le nombre d'élèves du conseil inscrits aux huit premières années d'études qui, le 31 octobre 2008, ont un emploi du temps prévoyant un enseignement en français pendant 150 minutes ou plus en moyenne par jour de classe.
4. Multiplier par 339,89 \$ le nombre d'élèves du conseil inscrits à la maternelle ou au jardin d'enfants qui, le 31 octobre 2008, ont un emploi du temps prévoyant un enseignement en français pendant 75 minutes ou plus en moyenne par jour de classe.
5. Additionner les sommes calculées en application des dispositions 1 à 4.

(3) La somme liée aux programmes de français langue seconde pour les élèves du secondaire d'un conseil est calculée de la manière suivante :

1. Calculer la somme liée à l'enseignement du français en neuvième et en dixième année en multipliant par 68 \$ le total des sommes calculées en application des sous-dispositions suivantes :
  - i. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base non semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  - ii. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
2. Calculer la somme liée à l'enseignement d'une matière autre que le français en neuvième et en dixième année dont la langue d'enseignement est le français, en multipliant par 111,87 \$ le total des sommes calculées en application des sous-dispositions suivantes :
  - i. Calculer la valeur en crédits de chaque cours enseigné en français sur une base non semestrielle en neuvième et en dixième année dans une matière autre que le français. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  - ii. Calculer la valeur en crédits de chaque cours enseigné en français sur une base semestrielle en neuvième et en dixième année dans une matière autre que le français. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.

3. Calculer la somme liée à l'enseignement du français en onzième et en douzième année en multipliant par 89,93 \$ le total des sommes calculées en application des sous-dispositions suivantes :
    - i. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base non semestrielle en onzième et en douzième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
    - ii. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base semestrielle en onzième et en douzième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  4. Calculer la somme liée à l'enseignement d'une matière autre que le français en onzième et en douzième année si la langue d'enseignement est le français en multipliant par 174,40 \$ le total des sommes calculées en application des sous-dispositions suivantes :
    - i. Calculer la valeur en crédits de chaque cours dont la matière n'est pas le français et qui est enseigné en français sur une base non semestrielle en onzième et en douzième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
    - ii. Calculer la valeur en crédits de chaque cours dont la matière n'est pas le français et qui est enseigné en français sur une base semestrielle en onzième et en douzième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  5. Additionner les sommes calculées en application des dispositions 1 à 4.
- (4) Les définitions qui suivent s'appliquent au présent article.

«cours» Cours du niveau secondaire qui a reçu un code du système uniforme de codage des cours et que l'on peut consulter de la manière indiquée au paragraphe 3 (3). («course»)

«enseignement en français» Enseignement du français comme matière ou enseignement de toute autre matière si la langue d'enseignement est le français. («instruction in French»)

«valeur en crédits» Relativement à un cours auquel est inscrit un élève, s'entend du nombre de crédits que celui-ci a le droit d'obtenir lorsqu'il termine le cours avec succès. («credit value»)

#### Somme liée aux programmes d'ESL/ELD

27. (1) La somme liée aux programmes d'ESL/ELD qui est versée à un conseil scolaire de district de langue anglaise pour l'exercice est calculée en additionnant la somme indiquée pour le conseil au tableau 2 et le produit obtenu en multipliant par 3 473 \$ la somme de ce qui suit :

- a) le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont nés dans des pays visés au paragraphe (2) après le 31 décembre 1987,
    - (ii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2007 et qui se termine le 31 octobre 2008;
  - b) la somme obtenue en multipliant par 0,85 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont nés dans des pays visés au paragraphe (2) après le 31 décembre 1987,
    - (ii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2006 et qui se termine le 31 août 2007;
  - c) la somme obtenue en multipliant par 0,5 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont nés dans des pays visés au paragraphe (2) après le 31 décembre 1987,
    - (ii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2005 et qui se termine le 31 août 2006;
  - d) la somme obtenue en multipliant par 0,25 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont nés dans des pays visés au paragraphe (2) après le 31 décembre 1987,
    - (ii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2004 et qui se termine le 31 août 2005.
- (2) Les pays visés pour l'application du paragraphe (1) sont les suivants :
- a) les pays où l'anglais n'est pas la langue première de la majorité de la population;



- b) les pays où la majorité de la population parle un anglais qui est assez différent de l'anglais utilisé comme langue d'enseignement dans les écoles du conseil pour justifier que soit offert un programme d'ESL ou d'ELD aux élèves originaires de ces pays.

**Élément enseignement des langues — conseils de langue française**

28. L'élément enseignement des langues d'un conseil scolaire de district de langue française pour l'exercice correspond au total des sommes calculées en application des dispositions suivantes :

1. La somme liée aux programmes de français langue première qui est versée au conseil pour l'exercice.
2. La somme liée aux programmes d'ALF/PDF qui est versée au conseil pour l'exercice.

**Somme liée aux programmes de français langue première**

29. La somme liée aux programmes de français langue première qui est versée à un conseil scolaire de district de langue française pour l'exercice correspond au total des sommes calculées en application des dispositions suivantes :

1. Multiplier par 667,63 \$ le nombre d'élèves de l'élémentaire du conseil le 31 octobre 2008.
2. Multiplier par 757,92 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que ses élèves du secondaire.
3. Multiplier par 16 576,95 \$ le nombre d'écoles élémentaires qui commencent à relever du conseil en septembre 2008.

**Programmes d'ALF/PDF**

30. (1) La somme liée aux programmes d'ALF/PDF qui est versée à un conseil scolaire de district de langue française pour l'exercice est calculée en additionnant les niveaux de financement des programmes d'ALF et de PDF du conseil pour l'exercice.

(2) Le niveau de financement des programmes d'ALF du conseil pour l'exercice est calculé de la manière suivante :

1. Multiplier l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009 par le facteur d'assimilation indiqué au tableau 3 pour le conseil.
2. Multiplier par 799,68 \$ le produit obtenu en application de la disposition 1.
3. Multiplier par 42 166,88 \$ le nombre d'écoles élémentaires du conseil qui sont des écoles élémentaires admissibles au sens du paragraphe 16 (3).
4. Multiplier l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009 par le facteur d'assimilation indiqué au tableau 3 pour le conseil.
5. Multiplier par 352,89 \$ le produit obtenu en application de la disposition 4.
6. Multiplier par 78 213,76 \$ le nombre d'écoles secondaires du conseil qui sont des écoles secondaires admissibles ou des écoles combinées admissibles au sens du paragraphe 16 (3).
7. Pour chaque école secondaire admissible ou école combinée admissible du conseil au sens du paragraphe 16 (3), calculer une somme de la manière suivante :
  - i. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 1 mais inférieur à 100, la somme pour l'application de la présente disposition est de 72 093,76 \$.
  - ii. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 100 mais inférieur à 200, la somme pour l'application de la présente disposition est de 108 140,64 \$.
  - iii. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 200 mais inférieur à 300, la somme pour l'application de la présente disposition est de 144 187,52 \$.
  - iv. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 300 mais inférieur à 400, la somme pour l'application de la présente disposition est de 180 234,40 \$.
  - v. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 400, la somme pour l'application de la présente disposition est de 216 281,28 \$.
8. Additionner les sommes obtenues en application des dispositions 2, 3, 5, 6 et 7.
9. Ajouter 261 282,44 \$ à la somme calculée en application de la disposition 8.

(3) Le niveau de financement des programmes de PDF du conseil est calculé en multipliant par 3 473 \$ la somme de ce qui suit :

- a) le nombre, au 31 octobre 2008, des élèves du conseil :
  - (i) qui sont admissibles au financement au titre du PDF en application du paragraphe (4),



- (ii) qui sont nés après le 31 décembre 1987 dans des pays où le français est la langue normalisée de l'enseignement ou de l'administration publique,
  - (iii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2007 et qui se termine le 31 octobre 2008;
  - b) la somme obtenue en multipliant par 0,85 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont admissibles au financement au titre du PDF en application du paragraphe (4),
    - (ii) qui sont nés après le 31 décembre 1987 dans des pays où le français est la langue normalisée de l'enseignement ou de l'administration publique,
    - (iii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2006 et qui se termine le 31 août 2007;
  - c) la somme obtenue en multipliant par 0,5 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont admissibles au financement au titre du PDF en application du paragraphe (4),
    - (ii) qui sont nés après le 31 décembre 1987 dans des pays où le français est la langue normalisée de l'enseignement ou de l'administration publique,
    - (iii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2005 et qui se termine le 31 août 2006;
  - d) la somme obtenue en multipliant par 0,25 le nombre, au 31 octobre 2008, des élèves du conseil :
    - (i) qui sont admissibles au financement au titre du PDF en application du paragraphe (4),
    - (ii) qui sont nés après le 31 décembre 1987 dans des pays où le français est la langue normalisée de l'enseignement ou de l'administration publique,
    - (iii) qui sont arrivés au Canada pendant la période qui commence le 1<sup>er</sup> septembre 2004 et qui se termine le 31 août 2005.
- (4) Pour l'application du paragraphe (3), un élève est admissible au financement au titre du PDF s'il est admis à une école du conseil en vertu de l'article 293 de la Loi et que, selon le cas :
- a) il parle un français assez différent du français utilisé comme langue d'enseignement dans les écoles du conseil pour justifier que lui soit offert un programme de PDF;
  - b) sa scolarité a été interrompue ou retardée;
  - c) il a une faible connaissance de l'anglais ou du français.
- (5) Les définitions qui suivent s'appliquent au présent article.

«effectif combiné de 2008-2009» S'entend au sens du paragraphe 16 (2). («2008-2009 combined enrolment»)

«effectif de 2008-2009» S'entend au sens du paragraphe 16 (2). («2008-2009 enrolment»)

**Élément supplément pour l'éducation des Premières nations, des Métis et des Inuits**

**31. (1)** L'élément supplément pour l'éducation des Premières nations, des Métis et des Inuits pour l'exercice correspond au total de qui suit :

- a) la somme liée aux programmes de langue autochtone qui est versée pour les élèves de l'élémentaire du conseil;
  - b) la somme liée aux programmes de langue autochtone qui est versée pour les élèves du secondaire du conseil;
  - c) la somme liée aux études autochtones;
  - d) la somme liée à la proportion d'autochtones selon le recensement.
- (2) La somme liée aux programmes de langue autochtone qui est versée pour les élèves de l'élémentaire du conseil correspond au total des sommes calculées en application des dispositions suivantes :
1. Multiplier par 1 802,34 \$ le nombre d'élèves de l'élémentaire du conseil qui, le 31 octobre 2008, ont un emploi du temps prévoyant l'enseignement d'une langue autochtone pendant 20 minutes ou plus, mais moins de 40 minutes, en moyenne par jour de classe.
  2. Multiplier par 2 703,52 \$ le nombre d'élèves de l'élémentaire du conseil qui, le 31 octobre 2008, ont un emploi du temps prévoyant l'enseignement d'une langue autochtone pendant 40 minutes ou plus en moyenne par jour de classe.
- (3) La somme liée aux programmes de langue autochtone qui est versée pour les élèves du secondaire du conseil correspond au total des sommes calculées en application des dispositions suivantes :

1. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours de langue autochtone de niveau I, II ou III qui est enseigné sur une base non semestrielle par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  2. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours de langue autochtone de niveau I, II ou III qui est enseigné sur une base semestrielle par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  3. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base non semestrielle en onzième ou en douzième année par le nombre d'élèves du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  4. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base semestrielle en onzième ou en douzième année par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
- (4) La somme liée aux études autochtones qui est versée au conseil correspond au total des sommes calculées en application des dispositions suivantes :
1. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours d'études autochtones qui est enseigné sur une base non semestrielle par le nombre d'élèves du secondaire du conseil inscrits au cours le 31 octobre 2008, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
  2. Multiplier par 1 504,96 \$ la somme des produits obtenus en multipliant la valeur en crédits de chaque cours d'études autochtones qui est enseigné sur une base semestrielle par le total du nombre d'élèves du secondaire du conseil inscrits au cours le 31 octobre 2008 et du nombre d'élèves du secondaire du conseil inscrits au cours le 31 mars 2009, à l'exclusion des élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.
- (5) La somme liée à la proportion d'autochtones selon le recensement qui est versée au conseil est calculée de la manière suivante :
1. Si le pourcentage estimatif d'élèves du conseil, indiqué à la colonne 2 du tableau 4 en regard du nom du conseil, qui font partie des Premières nations ou qui sont des Métis ou des Inuits est inférieur à 7,5 pour cent, le multiplier par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
  2. Si le pourcentage estimatif d'élèves du conseil, indiqué à la colonne 2 du tableau 4 en regard du nom du conseil, qui font partie des Premières nations ou qui sont des Métis ou des Inuits est supérieur ou égal à 7,5 pour cent, mais inférieur à 15 pour cent, calculer un nombre de la manière suivante :
    - i. Multiplier le pourcentage par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
    - ii. Multiplier par 2 le nombre obtenu en application de la sous-disposition i.
  3. Si le pourcentage estimatif d'élèves du conseil, indiqué à la colonne 2 du tableau 4 en regard du nom du conseil, qui font partie des Premières nations ou qui sont des Métis ou des Inuits est supérieur ou égal à 15 pour cent, calculer un nombre de la manière suivante :
    - i. Multiplier le pourcentage par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
    - ii. Multiplier par 3 le nombre obtenu en application de la sous-disposition i.
  4. Multiplier par 69,48 \$ le nombre obtenu en application de la disposition 1, 2 ou 3, selon le cas.
- (6) Les définitions qui suivent s'appliquent au présent article.

«cours» Cours du niveau secondaire qui a reçu un code du système uniforme de codage des cours et que l'on peut consulter de la manière indiquée au paragraphe 3 (3). («course»)

«valeur en crédits» Relativement à un cours auquel est inscrit un élève, s'entend du nombre de crédits que celui-ci a le droit d'obtenir lorsqu'il termine le cours avec succès. («credit value»)

#### Élément ressources d'apprentissage pour écoles éloignées et écoles excentrées

32. (1) L'élément ressources d'apprentissage pour écoles éloignées et écoles excentrées d'un conseil scolaire de district pour l'exercice est calculé de la manière suivante :

1. Prendre la somme calculée en application du paragraphe 29 (4) du règlement sur les subventions de 2003-2004 au titre du volet ressources d'apprentissage de l'élément écoles éloignées pour chaque école élémentaire éloignée du conseil, au sens du paragraphe 29 (2.1) du même règlement :
  - i. que le conseil faisait fonctionner au 30 juin 2004,



- ii. qui, au 30 juin 2004, était située à au moins 20 kilomètres de toute autre école élémentaire visée à la disposition 1 du paragraphe 29 (2.1) du règlement,
  - iii. que le conseil fait fonctionner au cours de l'exercice 2008-2009,
  - iv. dont l'effectif de 2008-2009 est supérieur à zéro.
2. Additionner les sommes calculées en application de la disposition 1 pour les écoles élémentaires visées à cette disposition.
3. Prendre la somme calculée en application du paragraphe 29 (8) du règlement sur les subventions de 2003-2004 au titre du volet ressources d'apprentissage de l'élément écoles éloignées pour chaque école secondaire éloignée du conseil, au sens du paragraphe 29 (2.6) du même règlement :
- i. que le conseil faisait fonctionner au 30 juin 2004 et qui, à cette date :
    - A. soit était située à au moins 45 kilomètres de toute autre école secondaire visée à la disposition 1 du paragraphe 29 (2.6) du règlement,
    - B. soit était une école visée à la sous-disposition 2 ii de ce paragraphe,
  - ii. que le conseil fait fonctionner au cours de l'exercice 2008-2009,
  - iii. dont l'effectif de 2008-2009 est supérieur à zéro.
4. Additionner les sommes calculées en application de la disposition 3 pour les écoles secondaires visées à cette disposition.
5. Additionner les sommes calculées en application des dispositions 2 et 4.
6. Ajouter à la somme calculée en application de la disposition 5 le total des sommes éventuelles indiquées à la colonne 7 du tableau 5 en regard du nom des écoles du conseil figurant aux colonnes 3 et 4 si la distance indiquée à la colonne 6 est d'au moins 20 kilomètres dans le cas d'une école élémentaire et d'au moins 45 kilomètres dans le cas d'une école secondaire.
7. Pour chaque école élémentaire excentrée du conseil, calculer une somme de la manière suivante :
- i. Si l'effectif de 2008-2009 de l'école est égal ou supérieur à 1, mais inférieur à 50, la somme est calculée selon la formule suivante :
 
$$62\,000,63 \$ + (A \times 6\,214,48 \$)$$
 où :  
 «A» représente l'effectif de 2008-2009 de l'école.
  - ii. Si l'effectif de 2008-2009 de l'école est égal ou supérieur à 50, mais inférieur à 150, la somme est calculée selon la formule suivante :
 
$$540\,703,22 \$ - (A \times 3\,359,57 \$)$$
 où :  
 «A» représente l'effectif de 2008-2009 de l'école.
  - iii. Si l'effectif de 2008-2009 de l'école est égal ou supérieur à 150, la somme est de 36 767,82 \$.
8. Additionner les sommes calculées en application de la disposition 7 pour les écoles élémentaires excentrées du conseil.
9. Pour chaque école secondaire excentrée du conseil, calculer une somme de la manière suivante :
- i. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 1, mais inférieur à 50, la somme est calculée selon la formule suivante :
 
$$52\,988,91 \$ + (A \times 14\,959,46 \$) - B$$
 où :  
 «A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école,  
 «B» représente la somme calculée pour l'école en application de la disposition 7 du paragraphe 30 (2).
  - ii. Si la somme calculée en application de la sous-disposition i est négative, elle est réputée nulle.
  - iii. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 50, mais inférieur à 200, la somme est calculée selon la formule suivante :
 
$$1\,009\,312,67 \$ - (A \times 4\,167,02 \$) - B$$



où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école,

«B» représente la somme calculée pour l'école en application de la disposition 7 du paragraphe 30 (2).

iv. Si la somme calculée en application de la sous-disposition iii est négative, elle est réputée nulle.

v. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 200, mais inférieur à 500, la somme est calculée selon la formule suivante :

$$245\,118,79 \$ - (A \times 346,05 \$) - B$$

où :

«A» représente l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école,

«B» représente la somme calculée pour l'école en application de la disposition 7 du paragraphe 30 (2).

vi. Si la somme calculée en application de la sous-disposition v est négative, elle est réputée nulle.

vii. Si l'effectif de 2008-2009 ou l'effectif combiné de 2008-2009, selon le cas, de l'école est égal ou supérieur à 500, la somme est calculée selon la formule suivante :

$$72\,093,76 \$ - B$$

où :

«B» représente la somme calculée pour l'école en application de la disposition 7 du paragraphe 30 (2).

viii. Si la somme calculée en application de la sous-disposition vii est négative, elle est réputée nulle.

10. Additionner les sommes calculées en application de la disposition 9 pour les écoles secondaires excentrées du conseil.

11. Additionner les sommes calculées en application des dispositions 8 et 10.

12. Prendre la plus élevée des sommes calculées en application des dispositions 6 et 11.

13. Prendre la somme calculée en application du paragraphe 29 (4) du règlement sur les subventions de 2003-2004 au titre du volet ressources d'apprentissage de l'élément écoles éloignées pour chaque école élémentaire éloignée du conseil, au sens du paragraphe 29 (2.1) du même règlement :

i. que le conseil faisait fonctionner au 30 juin 2004,

ii. qui, au 30 juin 2004, était située à moins de 20 kilomètres d'au moins une autre école élémentaire visée à la disposition 1 du paragraphe 29 (2.1) du règlement,

iii. que le conseil fait fonctionner au cours de l'exercice 2008-2009,

iv. dont l'effectif de 2008-2009 est supérieur à zéro.

14. Additionner les sommes calculées en application de la disposition 13 pour les écoles élémentaires visées à cette disposition.

15. Prendre la somme calculée en application du paragraphe 29 (8) du règlement sur les subventions de 2003-2004 au titre du volet ressources d'apprentissage de l'élément écoles éloignées pour chaque école secondaire éloignée du conseil, au sens du paragraphe 29 (2.6) du même règlement :

i. que le conseil faisait fonctionner au 30 juin 2004 et qui, à cette date :

A. soit était située à moins de 45 kilomètres d'au moins une autre école secondaire visée à la disposition 1 du paragraphe 29 (2.6) du règlement,

B. soit était une école visée à la sous-disposition 2 ii de ce paragraphe,

ii. que le conseil fait fonctionner au cours de l'exercice 2008-2009,

iii. dont l'effectif de 2008-2009 est supérieur à zéro.

16. Additionner les sommes calculées en application de la disposition 15 pour les écoles secondaires visées à cette disposition.

17. Additionner les sommes éventuelles indiquées à la colonne 7 du tableau 5 en regard du nom des écoles du conseil figurant aux colonnes 3 et 4 si la distance indiquée à la colonne 6 est inférieure à 20 kilomètres dans le cas d'une école élémentaire et inférieure à 45 kilomètres dans le cas d'une école secondaire.

18. Additionner les sommes calculées en application des dispositions 12, 14, 16 et 17.

(2) Les définitions qui suivent s'appliquent au présent article.

«école élémentaire excentrée» École élémentaire admissible au sens du paragraphe 16 (3) qui est située à au moins 20 kilomètres de toute autre école élémentaire admissible du conseil. («outlying elementary school»)

«école secondaire excentrée» École secondaire admissible ou école combinée admissible au sens du paragraphe 16 (3) qui est située à au moins 45 kilomètres de toute autre école secondaire admissible ou école combinée admissible du conseil. («outlying secondary school»)

«effectif combiné de 2008-2009» S'entend au sens du paragraphe 16 (2). («2008-2009 combined enrolment»)

«effectif de 2008-2009» S'entend au sens du paragraphe 16 (2). («2008-2009 enrolment»)

(3) Les règles suivantes s'appliquent dans le cadre des paragraphes (1) et (2) :

1. Toute mesure de distance se calcule par route à 100 mètres près.
2. L'école élémentaire, secondaire ou combinée admissible au sens du paragraphe 16 (3) qui est située sur une île non reliée à la terre ferme par une route est considérée comme une école élémentaire excentrée ou une école secondaire excentrée, selon le cas, à moins qu'elle ne soit située dans la cité de Toronto.
3. Si deux écoles élémentaires admissibles ou plus sont traitées comme s'il s'agissait d'une seule école élémentaire admissible en application de la disposition 4 du paragraphe 16 (3), celle d'entre elles qui a la plus grande capacité d'accueil, au sens du paragraphe 56 (31), sert à mesurer la distance.
4. Si deux écoles secondaires admissibles ou plus sont traitées comme s'il s'agissait d'une seule école secondaire admissible en application de la disposition 5 du paragraphe 16 (3), celle d'entre elles qui a la plus grande capacité d'accueil, au sens du paragraphe 56 (32), sert à mesurer la distance.
5. L'école qui, parmi celles qui forment une école combinée admissible en application de la disposition 2 du paragraphe 16 (3), a la plus grande capacité d'accueil, au sens du paragraphe 56 (31) ou (32), selon le cas, sert à mesurer la distance.
6. La distance entre les écoles est calculée au 30 juin 2009.

#### Élément conseils ruraux et éloignés

33. (1) L'élément conseils ruraux et éloignés d'un conseil scolaire de district pour l'exercice est calculé en additionnant la somme liée aux petits conseils, la somme liée à la distance et la somme liée à la dispersion de la population scolaire qui sont versées au conseil.

(2) La somme liée aux petits conseils qui est versée au conseil est la somme éventuelle calculée en application de celles des dispositions suivantes qui s'applique au conseil :

1. Si l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 est inférieur à 4 000 :
  - i. multiplier par 0,01644 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009,
  - ii. soustraire le produit obtenu en application de la sous-disposition i de 302,72 \$,
  - iii. multiplier le résultat obtenu en application de la sous-disposition ii par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
2. Si l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 est d'au moins 4 000, mais de moins de 8 000 :
  - i. soustraire 4 000 de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009,
  - ii. multiplier par 0,01888 \$ le résultat obtenu en application de la sous-disposition i,
  - iii. soustraire le produit obtenu en application de la sous-disposition ii de 236,96 \$,
  - iv. multiplier le résultat obtenu en application de la sous-disposition iii par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
3. Si l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 est de 8 000 ou plus :
  - i. soustraire 8 000 de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009,
  - ii. multiplier par 0,02018 \$ le résultat obtenu en application de la sous-disposition i,
  - iii. soustraire le produit obtenu en application de la sous-disposition ii de 161,45 \$,
  - iv. si la somme calculée en application de la sous-disposition iii est supérieure à zéro, la multiplier par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009,
  - v. si la somme calculée en application de la sous-disposition iii n'est pas supérieure à zéro, la somme accordée aux petits conseils pour le conseil est nulle.



(3) La somme liée à la distance qui est versée au conseil correspond à ce qui suit :

- le produit de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 et du facteur de distance par élève indiqué pour le conseil, dans le cas d'un conseil scolaire de district de langue anglaise;
- le produit de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 et du facteur de distance par élève indiqué pour le conseil ou de 168,69 \$, si ce montant est supérieur, dans le cas d'un conseil scolaire de district de langue française.

(4) Le facteur de distance par élève indiqué pour le conseil correspond à la somme calculée en multipliant le facteur urbain indiqué pour le conseil à la colonne 3 du tableau 6 par la somme calculée en application de celle des dispositions suivantes qui s'applique au conseil :

- Si la distance indiquée pour le conseil à la colonne 2 du tableau 6 est inférieure à 151 kilomètres, la somme est nulle.
- Si la distance indiquée pour le conseil à la colonne 2 du tableau 6 est égale ou supérieure à 151 kilomètres mais inférieure à 650 kilomètres, la somme est calculée selon la formule suivante :

$$(A - 150) \times 1,03274 \$$$

où :

«A» représente la distance indiquée pour le conseil à la colonne 2 du tableau 6.

- Si la distance indiquée pour le conseil à la colonne 2 du tableau 6 est égale ou supérieure à 650 kilomètres mais inférieure à 1 150 kilomètres, la somme est calculée selon la formule suivante :

$$[(A - 650) \times 0,139 \$] + 516,37 \$$$

où :

«A» représente la distance indiquée pour le conseil à la colonne 2 du tableau 6.

- Si la distance indiquée pour le conseil à la colonne 2 du tableau 6 est égale ou supérieure à 1 150 kilomètres, la somme est de 585,87 \$.

(5) La somme liée à la dispersion de la population scolaire qui est versée au conseil est calculée selon la formule suivante :

$$(DD - F) \times ADE \times 5,43399 \$$$

où :

«DD» représente la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil à la colonne 1 de ce tableau,

«F» représente le moindre de l'élément «DD» et de 14 kilomètres,

«ADE» représente l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.

#### Élément collectivités rurales et de petite taille

34. L'élément collectivités rurales et de petite taille d'un conseil scolaire de district pour l'exercice est calculé de la manière suivante :

- Si le pourcentage indiqué à la colonne 5 du tableau 6 en regard du nom du conseil est inférieur à 25 pour cent, le montant de l'élément est nul.
- Si le pourcentage indiqué à la colonne 5 du tableau 6 en regard du nom du conseil est égal ou supérieur à 25 pour cent, mais inférieur à 75 pour cent, le montant de l'élément est calculé selon la formule suivante :

$$41,34 \$ \times ADE \times (A - 25 \%)$$

où :

«ADE» représente l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009;

«A» représente le pourcentage indiqué à la colonne 5 du tableau 6 en regard du nom du conseil.

- Si le pourcentage indiqué à la colonne 5 du tableau 6 en regard du nom du conseil est égal ou supérieur à 75 pour cent, le montant de l'élément correspond au produit de 20,67 \$ et de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.

#### Élément programmes d'aide à l'apprentissage

35. (1) L'élément programmes d'aide à l'apprentissage d'un conseil scolaire de district pour l'exercice correspond au total des sommes indiquées ou calculées en application des dispositions suivantes :

- La somme indiquée à la colonne 2 du tableau 7 en regard du nom du conseil.



2. L'aide aux programmes destinés à accroître l'aptitude à lire, à écrire et à compter du conseil pour l'exercice.
3. La somme liée à la réussite des élèves, de la 7<sup>e</sup> à la 12<sup>e</sup> année, qui est versée au conseil pour l'exercice.
- (2) L'aide aux programmes destinés à accroître l'aptitude à lire, à écrire et à compter du conseil pour l'exercice est calculée de la manière suivante :
  1. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves du conseil qui sont inscrits à des classes ou à des cours visés aux sous-alinéas c) (iii) et (iv) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement.
  2. Calculer l'effectif quotidien moyen des programmes d'éducation permanente du conseil pour l'exercice conformément à l'article 3 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves du conseil qui sont inscrits à des classes ou à des cours visés aux dispositions 3, 4 et 5 du paragraphe 3 (2) de ce règlement.
  3. Additionner les nombres obtenus en application des dispositions 1 et 2.
  4. Multiplier par 5 840 \$ le résultat obtenu en application de la disposition 3.
  5. Ajouter les frais de transport liés aux programmes destinés à accroître l'aptitude à lire, à écrire et à compter du conseil pour l'exercice.
- (3) Les frais de transport liés aux programmes destinés à accroître l'aptitude à lire, à écrire et à compter du conseil pour l'exercice sont calculés de la manière suivante :
  1. Prendre l'élément transport des élèves du conseil pour l'exercice.
  2. Déduire la somme calculée pour le conseil en application de la disposition 7 de l'article 41.
  3. Diviser le résultat obtenu en application de la disposition 2 par l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
  4. Multiplier le résultat obtenu en application de la disposition 3 par l'effectif calculé en application de la disposition 1 du paragraphe (2).
  5. Multiplier par 3 le résultat obtenu en application de la disposition 4.
- (4) La somme liée à la réussite des élèves, de la 7<sup>e</sup> à la 12<sup>e</sup> année, qui est versée au conseil pour l'exercice correspond à la somme calculée de la manière suivante :
  1. Multiplier par 27,57 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en neuvième, dixième, onzième et douzième année.
  2. Multiplier par 11,01 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en quatrième, cinquième, sixième, septième et huitième année.
  3. Multiplier par 0,0023 la différence obtenue en soustrayant la somme calculée à l'égard du conseil en application de la disposition 7 de l'article 41 de la somme liée au transport des élèves qui est versée au conseil pour l'exercice.
  4. Multiplier par 11 067 904 \$ le facteur démographique lié à la réussite des élèves, de la 7<sup>e</sup> à la 12<sup>e</sup> année, indiqué à la colonne 3 du tableau 7 en regard du nom du conseil à la colonne 1 de ce tableau.
  5. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en neuvième, dixième, onzième et douzième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil à la colonne 1 de ce tableau.
  6. Multiplier par 0,55 \$ la somme calculée en application de la disposition 5.
  7. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en quatrième, cinquième, sixième, septième et huitième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil à la colonne 1 de ce tableau.
  8. Multiplier par 0,21 \$ la somme calculée en application de la disposition 7.
  9. Additionner les sommes calculées en application des dispositions 1, 2, 3, 4, 6 et 8.
  10. Ajouter 153 734 \$ au total obtenu en application de la disposition 9.

#### Élément sécurité dans les écoles

36. (1) L'élément sécurité dans les écoles d'un conseil scolaire de district pour l'exercice correspond au total de ce qui suit :
- a) la somme liée au volet programmes et soutiens qui est versée au conseil pour l'exercice;
  - b) la somme liée au volet soutien professionnel qui est versée au conseil pour l'exercice.

(2) La somme qui est versée au conseil scolaire de district pour l'exercice au titre du volet programmes et soutiens est calculée de la manière suivante :

1. Multiplier par 7,17 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
2. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 par la somme pondérée par élève au titre des programmes et des soutiens, indiquée à la colonne 2 du tableau 8 en regard du nom du conseil.
3. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en neuvième, dixième, onzième et douzième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil.
4. Multiplier par 0,458976 \$ le nombre obtenu en application de la disposition 3.
5. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en quatrième, cinquième, sixième, septième et huitième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil.
6. Multiplier par 0,172116 \$ le nombre obtenu en application de la disposition 5.
7. Additionner les sommes obtenues en application des dispositions 1, 2, 4 et 6.
8. Prendre la plus élevée de la somme de 50 000 \$ et de la somme obtenue en application de la disposition 7.

(3) La somme qui est versée au conseil scolaire de district pour l'exercice au titre du volet soutien professionnel est calculée de la manière suivante :

1. Multiplier par 3,28 \$ l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
2. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 par la somme pondérée par élève au titre du soutien professionnel, indiquée à la colonne 3 du tableau 8 en regard du nom du conseil.
3. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en neuvième, dixième, onzième et douzième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil.
4. Multiplier par 0,209664 \$ le nombre obtenu en application de la disposition 3.
5. Multiplier l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits en quatrième, cinquième, sixième, septième et huitième année, par la distance, en kilomètres, liée à la dispersion qui est indiquée à la colonne 4 du tableau 6 en regard du nom du conseil.
6. Multiplier par 0,078624 \$ le nombre obtenu en application de la disposition 5.
7. Additionner les sommes obtenues en application des dispositions 1, 2, 4 et 6.
8. Prendre la plus élevée de la somme de 25 000 \$ et de la somme obtenue en application de la disposition 7.

#### Élément éducation permanente et autres programmes

37. (1) L'élément éducation permanente et autres programmes d'un conseil scolaire de district pour l'exercice est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour du conseil pour 2008-2009, pour l'exercice, conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves du conseil qui sont âgés d'au moins 21 ans le 31 décembre 2008.
2. Calculer l'effectif quotidien moyen de l'éducation permanente du conseil pour l'exercice conformément à l'article 3 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves inscrits à des classes ou à des cours visés aux dispositions 1, 2, 6 et 7 du paragraphe 3 (2) de ce règlement et en excluant :
  - i. d'une part, les élèves auxquels s'applique le paragraphe 49 (6) de la Loi,
  - ii. d'autre part, les élèves à l'égard desquels le conseil impose des droits en application du paragraphe 8 (4) du règlement sur les droits de 2008-2009.
3. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves inscrits à des classes ou à des cours visés au sous-alinéa c) (i), (ii), (v) ou (vi) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement et en excluant les élèves auxquels s'applique le paragraphe 49 (6) de la Loi et ceux à l'égard desquels le conseil impose des droits en application du paragraphe 8 (5) du règlement sur les droits de 2008-2009.
4. Additionner les nombres calculés en application des dispositions 1, 2 et 3.
5. Multiplier par 2 679 \$ le total obtenu en application de la disposition 4.
6. Calculer la somme liée aux programmes de langues d'origine qui est versée au conseil.



7. Calculer pour le conseil la somme liée à la reconnaissance des acquis qui n'est pas fournie dans le cadre d'un programme scolaire de jour.

8. Additionner les sommes calculées en application des dispositions 5, 6 et 7.

(2) Les paragraphes (3) et (4) s'appliquent si un conseil crée des classes pour dispenser un enseignement dans une langue autre que l'anglais ou le français et que le ministre approuve les classes dans le cadre d'un programme scolaire élémentaire de langues d'origine.

(3) Sous réserve du paragraphe (4), la somme liée aux programmes de langues d'origine qui est versée au conseil correspond au produit de 45,64 \$ et du nombre d'heures d'enseignement que le conseil dispense dans les classes visées au paragraphe (2).

(4) Si le quotient obtenu en divisant le nombre d'élèves de l'élémentaire inscrits aux classes visées au paragraphe (2) que le conseil a créées par le nombre de ces classes est inférieur à 23, le taux horaire de 45,64 \$ indiqué au paragraphe (3) est réduit du produit de 1 \$ et de la différence du quotient et de 23.

(5) La somme liée à la reconnaissance des acquis qui est versée au conseil pour l'exercice qui n'est pas fournie dans le cadre d'un programme scolaire de jour correspond au total des sommes calculées en application des dispositions suivantes :

1. Multiplier par 108 \$ le nombre d'élèves expérimentés du conseil qui, pendant l'exercice, ont subi une évaluation individualisée pour l'obtention de crédits de neuvième ou de dixième année, conformément à la section 6.6 du document intitulé «Les écoles secondaires de l'Ontario de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999», que l'on peut consulter de la manière indiquée au paragraphe 3 (4).

2. Multiplier par 108 \$ le nombre d'élèves expérimentés du conseil qui, pendant l'exercice, ont subi une évaluation individualisée pour l'obtention d'équivalences de crédits de onzième ou de douzième année, conformément à la section 6.6 du document intitulé «Les écoles secondaires de l'Ontario de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999», que l'on peut consulter de la manière indiquée au paragraphe 3 (4).

3. Multiplier par 324 \$ le nombre de revendications réglées de crédits de onzième et de douzième année présentées par des élèves expérimentés du conseil, pendant l'exercice, conformément à la section 6.6 de la publication du ministère intitulée «Les écoles secondaires de l'Ontario de la 9<sup>e</sup> à la 12<sup>e</sup> année — Préparation au diplôme d'études secondaires de l'Ontario, 1999», que l'on peut consulter de la manière indiquée au paragraphe 3 (4).

(6) Les règles suivantes s'appliquent dans le cadre du paragraphe (5) :

1. Un élève du conseil est un élève expérimenté pour l'exercice s'il est âgé d'au moins 18 ans le 31 décembre 2008 et qu'il n'était pas inscrit à un programme scolaire de jour pendant une ou plusieurs années scolaires antérieures.

2. Pour déterminer le nombre de revendications réglées de crédits de onzième et de douzième année présentées par des élèves expérimentés du conseil, un cours qui donne droit à un crédit complet est compté pour un crédit et un cours qui donne droit à un demi-crédit est compté pour 0,5 crédit.

#### **Élément redressement des coûts et programme d'insertion professionnelle du nouveau personnel enseignant**

38. (1) L'élément redressement des coûts et programme d'insertion professionnelle du nouveau personnel enseignant d'un conseil scolaire de district pour l'exercice est calculé en additionnant les sommes suivantes :

1. La somme liée au programme d'insertion professionnelle du nouveau personnel enseignant.

2. La somme liée à la compétence et à l'expérience des enseignants de l'élémentaire.

3. La somme liée à la compétence et à l'expérience des enseignants du secondaire.

4. La somme indiquée à la colonne 2 du tableau 10 en regard du nom du conseil.

(2) Pour l'application du présent article et des articles 39 et 40, le dénombrement se fait selon les méthodes que le conseil utilise habituellement aux fins de la dotation en personnel, sous réserve des règles suivantes :

1. L'enseignant qui n'est pas affecté à l'enseignement aux élèves du conseil dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 2008 ne doit pas être dénombré, à moins qu'il ne soit en congé payé à cette date et que sa rémunération pendant le congé ne soit pas remboursée au conseil.

2. La prestation de l'enseignement en bibliothèque ou de l'orientation aux élèves est considérée comme la prestation d'un enseignement aux élèves pour l'application de la disposition 1.

(3) Les définitions qui suivent s'appliquent au présent article et aux articles 39 et 40.

«AEFO» L'Association des enseignantes et des enseignants franco-ontariens. («AEFO»)

«catégorie de qualifications» S'entend de la certification de l'AEFO ou de la FEESO ou d'une catégorie du COEQ. («qualification category»)

«catégorie du COEQ» S'entend de la catégorie D, C, B, A1, A2, A3 ou A4 du COEQ. («QECO category»)



«certification de l'AEFO» S'entend de la certification de groupe 1, de groupe 2, de groupe 3 ou de groupe 4 octroyée par l'AEFO. («AEFO certification»)

«certification de la FEESO» S'entend de la certification de groupe 1, de groupe 2, de groupe 3 ou de groupe 4 octroyée par la FEESO. («OSSTF certification»)

«COEQ» Le Conseil ontarien d'évaluation des qualifications. («QECO»)

«enseignant» S'entend en outre des enseignants temporaires, mais non des enseignants suivants :

- a) les enseignants de l'éducation permanente;
- b) les enseignants suppléants, sauf dans le cas prévu à la disposition 3 du paragraphe 40 (4). («teacher»)

«FEESO» La Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario. («OSSTF»)

«nouvel enseignant» et «nouvelle période d'enseignement» S'entendent au sens de la partie X.0.1 de la Loi. («new teacher», «new teaching period»)

#### **Somme liée au programme d'insertion professionnelle du nouveau personnel enseignant**

**39. (1)** La somme liée au programme d'insertion professionnelle du nouveau personnel enseignant qui est versée à un conseil scolaire de district pour l'exercice correspond au total de ce qui suit :

- a) 20 000 \$;
- b) le produit de 2 000 \$ et du nombre d'enseignants employés par le conseil qui sont de nouveaux enseignants et dont la nouvelle période d'enseignement commence entre le 2 octobre 2007 et le 31 octobre 2008.

(2) Pour l'application du paragraphe (1), le nombre d'enseignants employés par le conseil se calcule en comptant chaque personne que le conseil emploie comme enseignant au 31 octobre 2008, que ce soit à temps plein ou à temps partiel.

#### **Somme liée à la compétence et à l'expérience des enseignants de l'élémentaire et du secondaire**

**40. (1)** La somme liée à la compétence et à l'expérience des enseignants de l'élémentaire qui est versée à un conseil scolaire de district pour l'exercice est calculée de la manière suivante :

1. Pour chaque case du tableau 9, calculer le nombre d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire et qui, à la fois, appartiennent à la catégorie de qualifications et ont le nombre d'années complètes d'expérience en enseignement correspondant à ses coordonnées de la case. Par exemple, l'enseignant qui appartient à la catégorie de qualifications D et qui a 0,7 an d'expérience en enseignement est affecté à la case D-1 et celui qui appartient à la catégorie de qualifications A2 ou groupe 2 et qui a 3,2 ans d'expérience en enseignement est affecté à la case A2/groupe 2-3.
2. Pour chaque case du tableau 9, multiplier le nombre d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire et qui y sont affectés par le nombre qui y figure.
3. Additionner tous les produits obtenus en application de la disposition 2 pour le conseil.
4. Diviser le total calculé en application de la disposition 3 par le nombre total d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire.
5. Soustraire un du nombre obtenu en application de la disposition 4.
6. Multiplier par 3 500,02 \$ le résultat obtenu en application de la disposition 5.
7. Multiplier la somme obtenue en application de la disposition 6 par l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009.

(2) La somme liée à la compétence et à l'expérience des enseignants du secondaire qui est versée à un conseil scolaire de district pour l'exercice est calculée de la manière suivante :

1. Pour chaque case du tableau 9, calculer le nombre d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire et qui, à la fois, appartiennent à la catégorie de qualifications et ont le nombre d'années complètes d'expérience en enseignement correspondant à ses coordonnées de la case. Par exemple, l'enseignant qui appartient à la catégorie de qualifications D et qui a 0,7 an d'expérience en enseignement est affecté à la case D-1 et celui qui appartient à la catégorie de qualifications A2 ou groupe 2 et qui a 3,2 ans d'expérience en enseignement est affecté à la case A2/groupe 2-3.
2. Pour chaque case du tableau 9, multiplier le nombre d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire et qui y sont affectés par le nombre qui y figure.
3. Additionner tous les produits obtenus en application de la disposition 2 pour le conseil.
4. Diviser le total calculé en application de la disposition 3 par le nombre total d'enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire.

5. Soustraire un du nombre obtenu en application de la disposition 4.
6. Multiplier par 4 430,88 \$ le résultat obtenu en application de la disposition 5.
7. Multiplier la somme obtenue en application de la disposition 6 par l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009.

(3) Pour l'application du présent article, le nombre d'enseignants employés par un conseil correspond au nombre de personnes à temps plein ou l'équivalent que le conseil emploie au 31 octobre 2008 pour enseigner.

(4) Les règles suivantes s'appliquent au dénombrement visé au paragraphe (3) :

1. L'équivalence à temps plein de l'enseignant qui, dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 2008, est affecté, une partie du temps, à l'enseignement aux élèves du conseil et qui, à cette date, est également affecté, une autre partie du temps, en application de l'article 17 du Règlement 298 des Règlements refondus de l'Ontario de 1990 (Fonctionnement des écoles — Dispositions générales) pris en application de la Loi, à un poste de conseiller, de coordonnateur ou de superviseur, est calculée de la manière suivante :
  - i. Calculer le nombre moyen d'heures par jour de l'horaire qui inclut le 31 octobre 2008 auxquelles l'enseignant est affecté régulièrement, conformément à son emploi du temps, pour dispenser l'enseignement aux élèves du conseil ou pour préparer cet enseignement. Pour l'application de la présente sous-disposition, le dénombrement des heures se fait à une décimale près.
  - ii. Diviser le total calculé en application de la sous-disposition i par 5.
2. Le directeur d'école ou le directeur adjoint qui, dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 2008, est affecté, une partie du temps, à l'enseignement aux élèves du conseil est dénombré comme enseignant pour l'application du présent article et son équivalence à temps plein à titre d'enseignant est calculée de la manière suivante :
  - i. Calculer le nombre moyen d'heures par jour de l'horaire qui inclut le 31 octobre 2008 auxquelles le directeur d'école ou le directeur adjoint est affecté régulièrement, conformément à son emploi du temps, pour dispenser l'enseignement aux élèves du conseil. Pour l'application du présent paragraphe, le dénombrement des heures se fait à une décimale près.
  - ii. Diviser le nombre calculé en application de la sous-disposition i par 5.
3. L'enseignant suppléant qui est affecté à l'enseignement aux élèves du conseil dans le cadre d'un emploi du temps régulier qui est en vigueur le 31 octobre 2008 est dénombré comme enseignant pour l'application du présent article sauf si l'enseignant qu'il remplace est compris dans le calcul du nombre d'enseignants qu'emploie le conseil fait en application du paragraphe (3) et que ce dernier peut raisonnablement s'attendre à ce qu'il reprenne ses fonctions auprès de lui durant l'exercice.

(5) Au présent article, les cases du tableau 9 sont désignées par leur abscisse (la catégorie de qualifications), suivie de leur ordonnée (le nombre qui représente les années complètes d'expérience en enseignement). Par exemple, la case C-1 du tableau 9 contient le nombre 0,6185 et la case A1/groupe 1-3, le nombre 0,7359.

(6) Les règles suivantes s'appliquent au calcul du nombre d'années complètes d'expérience en enseignement d'un enseignant :

1. Le nombre d'années complètes d'expérience en enseignement d'un enseignant est réputé son nombre d'années d'expérience en enseignement avant le premier jour de l'année scolaire 2008-2009, arrondi au nombre entier le plus près s'il comprend une fraction. À cette fin, un nombre se terminant par ,5 est considéré comme étant le plus près du nombre entier suivant.
2. Le nombre d'années complètes d'expérience en enseignement d'un enseignant est réputé être de 10 s'il est supérieur à ce chiffre.
3. Le nombre d'années complètes d'expérience en enseignement d'un directeur d'école ou d'un directeur adjoint est réputé être de 10.

(7) Les règles suivantes s'appliquent, à compter du 31 octobre 2008, en vue d'établir la catégorie de qualifications d'un enseignant :

1. Si un conseil utilise le système de certification de l'AEFO aux fins de l'établissement du salaire d'un enseignant qu'il emploie, ce système est utilisé à l'égard de cet enseignant pour l'application du présent article.
2. Si un conseil utilise le système de catégories du COEQ aux fins de l'établissement du salaire d'un enseignant qu'il emploie, ce système est utilisé à l'égard de cet enseignant pour l'application du présent article.
3. Si un conseil utilise le système de certification de la FEESO aux fins de l'établissement du salaire d'un enseignant qu'il emploie, ce système est utilisé à l'égard de cet enseignant pour l'application du présent article.



4. Sous réserve de la disposition 6, si un conseil n'utilise pas le système de catégories du COEQ aux fins de l'établissement du salaire d'un enseignant de l'élémentaire qu'il emploie, le système de classification qu'il utilise dans le cas des enseignants de l'élémentaire pour remplir le Formulaire de données A 2005 est utilisé à l'égard de cet enseignant pour l'application du présent article.
5. Sous réserve de la disposition 6, si un conseil n'utilise ni le système de catégories du COEQ, ni le système de certification de l'AEFO ou de la FEESO aux fins de l'établissement du salaire d'un enseignant du secondaire qu'il emploie, le système de classification qu'il utilise dans le cas des enseignants du secondaire pour remplir le Formulaire de données A 2005 est utilisé à l'égard de cet enseignant pour l'application du présent article.
6. Dans les circonstances visées à la disposition 4 ou 5, le conseil peut choisir, par avis écrit envoyé au ministre, d'utiliser le système de certification de l'AEFO, le système de catégories du COEQ désigné plan 4 par le COEQ ou le système de certification de 1992 de la FEESO, au lieu du système de classification exigé en application de la disposition 4 ou 5.
7. La catégorie de qualifications d'un directeur d'école ou d'un directeur adjoint est réputée correspondre à A4/Groupe 4.
8. Si la catégorie de qualifications à laquelle appartient une personne est changée après le 31 octobre 2008 et que le changement, aux fins de l'établissement de son salaire, est rétroactif à un jour de la période allant du premier jour de l'année scolaire 2008-2009 au 31 octobre 2008, la nouvelle catégorie de qualifications est utilisée pour l'application du présent article.
9. On peut consulter le Formulaire de données A 2005 qui est mentionné aux dispositions 4 et 5 de la manière indiquée au paragraphe 3 (5).

#### **Élément transport des élèves**

41. L'élément transport des élèves d'un conseil scolaire de district pour l'exercice est calculé de la manière suivante :
  1. Prendre la somme calculée à l'égard du conseil en application de la disposition 6 de l'article 37 du règlement sur les subventions de 2007-2008.
  2. Multiplier par 0,033 la somme obtenue en application de la disposition 1.
  3. Prendre l'effectif quotidien moyen de jour des élèves du conseil pour 2007-2008, au sens du règlement sur les subventions de 2007-2008.
  4. Diviser l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 par celui obtenu en application de la disposition 3. Si le quotient obtenu est inférieur à 1, il est réputé être 1.
  5. Multiplier la somme obtenue en application de la disposition 1 par le nombre obtenu en application de la disposition 4.
  6. Additionner les sommes calculées en application des dispositions 2 et 5.
  7. Calculer le montant des dépenses engagées par le conseil au cours de l'exercice que le ministre a approuvé, en se fondant sur les chiffres que lui a communiqués le conseil, à l'égard du transport des élèves à destination et en provenance de l'École provinciale pour aveugles, d'une école provinciale pour sourds ou d'une école d'application ouverte ou dirigée, en vertu d'une entente conclue avec le ministre, au profit d'élèves qui ont de graves anomalies de communication.
  8. Additionner les sommes calculées en application des dispositions 6 et 7.

#### **Élément administration et gestion**

42. (1) L'élément administration et gestion des conseils scolaires d'un conseil scolaire de district pour l'exercice correspond au total des sommes visées aux dispositions suivantes :
  1. La somme liée aux allocations et frais des membres du conseil et des élèves conseillers, calculée en application du paragraphe (2), qui est versée au conseil.
  2. La somme liée aux directeurs de l'éducation et aux agents de supervision, calculée en application du paragraphe (4), qui est versée au conseil.
  3. La somme liée aux frais d'administration, calculée en application du paragraphe (5), qui est versée au conseil.
  4. La somme multi-municipalités, calculée en application du paragraphe (6), qui est versée au conseil.
- (2) La somme liée aux allocations et frais des membres du conseil et des élèves conseillers qui est versée au conseil est calculée de la manière suivante :
  1. Multiplier le nombre des membres du conseil par 5 000 \$. Pour l'application de la présente disposition et des dispositions 3, 5 et 11, le nombre des membres du conseil est calculé en additionnant ce qui suit :
    - i. le nombre de membres déterminé pour le conseil en vertu du sous-alinéa 58.1 (2) k) (i) de la Loi aux fins des élections ordinaires de 2006 ou, si une résolution visée au paragraphe 58.1 (10.1) de la Loi est en vigueur aux fins de ces élections, le nombre de membres qui y est précisé,



- ii. le nombre de représentants autochtones déterminé pour le conseil en vertu du paragraphe 188 (5) de la Loi pour le mandat commençant en décembre 2006.
  2. Ajouter 10 000 \$ à la somme calculée en application de la disposition 1.
  3. Multiplier le nombre des membres du conseil par 7 100 \$.
  4. Ajouter 7 500 \$ à la somme calculée en application de la disposition 3.
  5. Multiplier le nombre des membres du conseil par 1 800 \$ si, selon le cas :
    - i. le territoire du conseil a une superficie supérieure à 9 000 kilomètres carrés, telle qu'elle figure au tableau 1 du Règlement de l'Ontario 412/00 (Élections aux conseils scolaires de district et représentation au sein de ces conseils) pris en application de la Loi, tel que ce règlement existait le 1<sup>er</sup> janvier 2008,
    - ii. le facteur de dispersion attribué au conseil est supérieur à 25, tel qu'il figure au tableau 5 du Règlement de l'Ontario 412/00 pris en application de la Loi, tel que ce règlement existait le 1<sup>er</sup> janvier 2008.
  6. Prendre le total des sommes qui auraient été calculées pour les membres du conseil en application des paragraphes 6 (2), (3) et (4) du Règlement de l'Ontario 357/06 (Allocations des membres des conseils scolaires) pris en application de la Loi, pour l'année commençant le 1<sup>er</sup> décembre 2008, si seulement les élèves du conseil étaient comptés pour calculer son effectif à l'article 9 de ce règlement.
  7. Prendre le total des sommes calculées en application des dispositions 4 et 6 et en application de la disposition 5, le cas échéant.
  8. Soustraire la somme obtenue en application de la disposition 2 de celle obtenue en application de la disposition 7.
  9. Multiplier par 0,5 la somme calculée en application de la disposition 8.
  10. Ajouter la somme calculée en application de la disposition 9 à celle calculée en application de la disposition 2 pour calculer les allocations des membres du conseil.
  11. Multiplier le nombre des membres du conseil par 5 000 \$ pour calculer leurs frais.
  12. Calculer les allocations auxquelles les élèves conseillers du conseil ont droit pour l'exercice en vertu du paragraphe 55 (8) de la Loi.
  13. Diviser la somme calculée en application de la disposition 12 par 2 pour obtenir le montant des allocations des élèves conseillers.
  14. Multiplier par 5 000 \$ le nombre d'élèves conseillers exigés par la politique du conseil le 1<sup>er</sup> septembre 2008 pour calculer les frais de tels élèves.
  15. Additionner les sommes obtenues en application des dispositions 10, 11, 13 et 14.
- (3) Pour l'application du paragraphe (4), les élèves sont dénombrés en fonction de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
- (4) La somme liée aux directeurs de l'éducation et aux agents de supervision qui est versée au conseil est calculée de la manière suivante :
1. Prévoir 490 503 \$ comme montant de base.
  2. Prévoir 12,50 \$ par élève pour la première tranche de 10 000 élèves du conseil.
  3. Prévoir 18,26 \$ par élève pour la tranche suivante de 10 000 élèves du conseil.
  4. Prévoir 25,10 \$ par élève pour le reste des élèves du conseil.
  5. Additionner les sommes prévues en application des dispositions 1 à 4.
  6. Ajouter 2,17 pour cent de l'élément conseils ruraux et éloignés du conseil pour l'exercice.
  7. Ajouter 0,62 pour cent du total des sommes obtenues pour le conseil en application de la disposition 1 du paragraphe 35 (1).
  8. Ajouter 1 pour cent du total des sommes calculées pour le conseil en application de l'article 49 au titre des nouvelles places, de l'article 50 au titre de la baisse de l'effectif des classes du cycle primaire, de l'article 51 au titre des écoles des quartiers à forte croissance, de l'article 52 au titre du redressement temporaire des immobilisations, de l'article 53 au titre du remplacement des écoles dont le coût des réparations est prohibitif et de l'article 54 au titre de la construction des installations visées aux alinéas 234 (1) b) et c) de la Loi.
- (5) La somme liée aux frais d'administration qui est versée au conseil est calculée de la manière suivante :
1. Prévoir 91 216 \$ comme montant de base.

2. Ajouter le produit de 197,58 \$ et de l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.
3. Ajouter 11,94 pour cent de l'élément conseils ruraux et éloignés du conseil pour l'exercice.
4. Ajouter 0,62 pour cent de la somme indiquée à la colonne 2 du tableau 7 en regard du nom du conseil.
5. Ajouter 1 pour cent du total des sommes calculées pour le conseil en application de l'article 49 au titre des nouvelles places, de l'article 50 au titre de la baisse de l'effectif des classes du cycle primaire, de l'article 51 au titre des écoles des quartiers à forte croissance, de l'article 52 au titre du redressement temporaire des immobilisations, de l'article 53 au titre du remplacement des écoles dont le coût des réparations est prohibitif et de l'article 54 au titre de la construction des installations visées aux alinéas 234 (1) b) et c) de la Loi.
6. Ajouter 200 000 \$ si l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 est inférieur à 26 000.
7. Ajouter un montant, calculé selon la formule suivante, pour aider le conseil à mettre en oeuvre les normes recommandées par le Conseil sur la comptabilité dans le secteur public de l'Institut canadien des comptables agréés :

$$(A \times 1,05 \$) + 50\,000 \$$$

où :

«A» représente l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009.

- (6) La somme multi-municipalités éventuelle qui est versée au conseil est calculée conformément aux règles suivantes :

1. Si, le 1<sup>er</sup> septembre 2008, le territoire de compétence du conseil englobe, en totalité ou en partie, au moins 30 municipalités, mais au plus 49, la somme est calculée selon la formule suivante :

$$(n - 29) \times 500 \$$$

où :

«n» représente le nombre de ces municipalités.

2. Si, le 1<sup>er</sup> septembre 2008, le territoire de compétence du conseil englobe, en totalité ou en partie, au moins 50 municipalités, mais au plus 99, la somme est calculée selon la formule suivante :

$$10\,000 \$ + [(n - 49) \times 750 \$]$$

où :

«n» représente le nombre de ces municipalités.

3. Si, le 1<sup>er</sup> septembre 2008, le territoire de compétence du conseil englobe, en totalité ou en partie, au moins 100 municipalités, la somme est calculée selon la formule suivante :

$$47\,500 \$ + [(n - 99) \times 1\,000 \$]$$

où :

«n» représente le nombre de ces municipalités.

- (7) Pour l'application du paragraphe (6), une municipalité qui est réputée une municipalité de district n'est pas comptée comme une municipalité.

#### Élément amélioration des programmes

43. L'élément amélioration des programmes d'un conseil scolaire de district pour l'exercice est calculé en multipliant par 9 650 \$ le nombre total d'écoles élémentaires, secondaires et combinées admissibles du conseil au sens du paragraphe 16 (3).

#### Élément utilisation communautaire des écoles

44. (1) L'élément utilisation communautaire des écoles d'un conseil scolaire de district pour l'exercice correspond au total des sommes suivantes :

1. La somme liée au fonctionnement de l'utilisation communautaire des écoles, indiquée à la colonne 2 du tableau 13 en regard du nom du conseil, qui est versée au conseil pour l'exercice.
2. La somme liée aux coordonnateurs de l'utilisation communautaire des écoles, calculée de la manière suivante, qui est versée au conseil pour l'exercice :
  - i. Multiplier par 800 \$ le nombre des écoles admissibles du conseil.
  - ii. Ajouter 36 000 \$ au produit obtenu en application de la sous-disposition i.

- (2) La définition qui suit s'applique au présent article.

«école admissible» École qui est une école élémentaire admissible, une école secondaire admissible ou une école combinée admissible au titre du paragraphe 16 (3).



**Élément installations d'accueil pour les élèves**

45. (1) L'élément installations d'accueil pour les élèves d'un conseil scolaire de district pour l'exercice correspond au total des sommes suivantes :

1. La somme liée au fonctionnement des écoles.
2. La somme liée à la réfection des écoles.
3. La somme liée aux travaux de réfection urgents et importants.
4. La somme liée aux nouvelles places.
5. La somme liée à la baisse de l'effectif des classes du cycle primaire.
6. La somme liée aux écoles des quartiers à forte croissance.
7. La somme liée au redressement temporaire des immobilisations.
8. La somme liée au remplacement des écoles dont le coût des réparations est prohibitif.
9. La somme liée à la construction des installations visées aux alinéas 234 (1) b) et c) de la Loi.
10. La somme liée aux engagements d'immobilisations non réalisés.

(2) Les définitions qui suivent s'appliquent au présent article et aux articles 46 à 56.

«aire d'enseignement» Espace dans une école qui peut raisonnablement être utilisé aux fins de l'enseignement. («instructional space»)

«capacité d'accueil déclarée pour 2006-2007» Relativement à une école qui relève d'un conseil, la capacité d'accueil déclarée à l'annexe C des états financiers de 2006-2007 que le conseil a préparés et présentés au ministère en application de la Loi. («2006-2007 reported capacity»)

«capacité d'accueil déclarée pour 2007-2008» Relativement à une école qui relève d'un conseil, la capacité d'accueil déclarée à l'annexe C des états financiers de 2007-2008 que le conseil a préparés et présentés au ministère en application de la Loi. («2007-2008 reported capacity»)

«école élémentaire excentrée» S'entend au sens du paragraphe 32 (2). («outlying elementary school»)

«école secondaire excentrée» S'entend au sens du paragraphe 32 (2). («outlying secondary school»)

«effectif de 2006-2007» Relativement à une école qui relève d'un conseil, l'effectif quotidien moyen de jour des élèves du conseil pour 2006-2007, au sens du Règlement de l'Ontario 339/06 (Calcul de l'effectif quotidien moyen pour l'exercice 2006-2007 des conseils scolaires) pris en application de la Loi, calculé en ne comptant que les élèves inscrits à l'école. («2006-2007 enrolment»)

«effectif de 2007-2008» Relativement à une école qui relève d'un conseil, l'effectif quotidien moyen de jour des élèves du conseil pour 2007-2008, au sens du Règlement de l'Ontario 150/07 (Calcul de l'effectif quotidien moyen pour l'exercice 2007-2008 des conseils scolaires) pris en application de la Loi, calculé en ne comptant que les élèves inscrits à l'école. («2007-2008 enrolment»)

«effectif de 2008-2009» Relativement à une école qui relève d'un conseil, l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, calculé en ne comptant que les élèves inscrits à l'école. («2008-2009 enrolment»)

«établissement élémentaire» Établissement qui est ou a été une école élémentaire d'un conseil. («elementary facility»)

«établissement secondaire» Établissement qui est ou a été une école secondaire d'un conseil. («secondary facility»)

**Somme liée au fonctionnement des écoles**

46. (1) La somme liée au fonctionnement des écoles qui est versée au conseil pour l'exercice est calculée de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009.
2. Multiplier le nombre calculé en application de la disposition 1 par la superficie repère requise par élève de 9,7 mètres carrés pour obtenir la superficie des écoles élémentaires requise pour le conseil.
3. Calculer, en mètres carrés, la superficie redressée des écoles élémentaires requise pour le conseil en appliquant, à la valeur calculée en application de la disposition 2, le facteur relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (2) et (3).
4. Calculer l'effectif quotidien moyen de jour du conseil pour l'exercice 2008-2009 conformément à l'article 2 du règlement sur l'effectif quotidien moyen de jour de 2008-2009, en ne comptant que les élèves qui sont âgés d'au moins 21 ans le 31 décembre 2008.



5. Calculer l'effectif quotidien moyen de l'éducation permanente du conseil pour l'exercice 2008-2009 conformément à l'article 3 du règlement sur l'effectif quotidien moyen de 2008-2009, en ne comptant que les élèves inscrits à un cours pour lequel ils peuvent obtenir un crédit et dans lequel l'enseignement est dispensé entre 8 h et 17 h et en excluant les élèves suivants :
  - i. les élèves inscrits à un cours d'éducation permanente dispensé principalement par des moyens autres qu'un enseignement en classe,
  - ii. les élèves auxquels s'applique le paragraphe 49 (6) de la Loi,
  - iii. les élèves à l'égard desquels le conseil impose des droits en application du paragraphe 8 (4) du règlement sur les droits de 2008-2009.
6. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 2008-2009 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 2008-2009, en excluant les élèves suivants :
  - i. les élèves auxquels s'applique le paragraphe 49 (6) de la Loi,
  - ii. les élèves à l'égard desquels le conseil impose des droits en application du paragraphe 8 (5) du règlement sur les droits de 2008-2009.
7. Prendre le nombre total de places dans les programmes d'enseignement dispensés par le conseil qui sont des programmes d'enseignement admissibles, au sens du paragraphe 23 (2), pour lesquels l'enseignement est offert dans les locaux du conseil.
8. Additionner les nombres obtenus en application des dispositions 4, 5, 6 et 7.
9. Multiplier le total obtenu en application de la disposition 8 par la superficie repère requise par élève de 9,29 mètres carrés pour obtenir la superficie liée à l'éducation permanente et autres programmes requise pour le conseil.
10. Calculer, en mètres carrés, la superficie redressée liée à l'éducation permanente et autres programmes requise pour le conseil en appliquant, à la valeur calculée en application de la disposition 9, le facteur relatif à la superficie supplémentaire liée à l'éducation permanente et autres programmes que le ministre approuve pour le conseil conformément au paragraphe (4).
11. Calculer l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009.
12. Multiplier le nombre calculé en application de la disposition 11 par la superficie repère requise par élève de 12,07 mètres carrés pour obtenir la superficie des écoles secondaires requise pour le conseil.
13. Calculer, en mètres carrés, la superficie redressée des écoles secondaires requise pour le conseil en appliquant, à la valeur calculée en application de la disposition 12, le facteur relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (6).
14. Obtenir la superficie totale en mètres carrés redressée requise pour le conseil en additionnant les valeurs suivantes :
  - i. La superficie redressée des écoles élémentaires requise pour le conseil, calculée en application de la disposition 3.
  - ii. La superficie redressée liée à l'éducation permanente et autres programmes requise pour le conseil, calculée en application de la disposition 10.
  - iii. La superficie redressée des écoles secondaires requise pour le conseil, calculée en application de la disposition 13.
15. Multiplier le nombre obtenu en application de la disposition 14 par le coût repère de fonctionnement de 67,41 \$ le mètre carré.
16. Pour chaque école élémentaire du conseil, calculer la somme complémentaire liée au fonctionnement des écoles de la manière suivante :
  - i. Calculer l'effectif de 2008-2009.
  - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe 56 (31). Toutefois, la capacité d'une école pour laquelle le nombre obtenu en application de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
  - iii. Multiplier le nombre calculé en application de la sous-disposition i par la superficie repère requise par élève de 9,7 mètres carrés.
  - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par le coût repère de fonctionnement de 67,41 \$ le mètre carré.
  - v. Multiplier le nombre obtenu en application de la sous-disposition iv par le facteur relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (2) et (3).

- vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée en application de la sous-disposition ii, par la superficie repère requise par élève de 9,7 mètres carrés.
  - vii. Multiplier le nombre obtenu en application de la sous-disposition vi par le coût repère de fonctionnement de 67,41 \$ le mètre carré.
  - viii. Multiplier le nombre obtenu en application de la sous-disposition vii par le facteur relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (2) et (3).
  - ix. Multiplier par 0,2 le nombre obtenu en application de la sous-disposition viii.
  - x. Soustraire le nombre obtenu en application de la sous-disposition v de celui obtenu en application de la sous-disposition viii.
  - xi. Prendre le moindre du nombre obtenu en application de la sous-disposition ix et de celui obtenu en application de la sous-disposition x pour obtenir la somme complémentaire liée au fonctionnement des écoles élémentaires pour l'école en question. Toutefois, si le nombre obtenu en application de la sous-disposition x est nul ou négatif ou que le nombre obtenu en application de la sous-disposition i est nul, cette somme est de zéro.
17. Additionner les sommes complémentaires calculées en application de la disposition 16 pour chacune des écoles élémentaires du conseil.
  18. Identifier les écoles élémentaires du conseil qui sont des écoles élémentaires éloignées, au sens du paragraphe 29 (2.1) du règlement sur les subventions de 2003-2004, mais qui ne sont ni des écoles élémentaires rurales ni des écoles élémentaires excentrées.
  19. Pour chaque école élémentaire identifiée en application de la disposition 18, soustraire la somme calculée en application de la disposition 15 du paragraphe 37 (3) du règlement sur les subventions de 2003-2004 de celle calculée en application de la disposition 16.1 de ce paragraphe. Si la différence obtenue pour une école est négative, la somme calculée pour cette école est réputée nulle.
  20. Additionner les sommes calculées en application de la disposition 19 pour les écoles élémentaires identifiées en application de la disposition 18.
  21. Prendre la somme éventuelle indiquée à la colonne 2 du tableau 11 en regard du nom du conseil.
  22. Additionner les sommes calculées en application des dispositions 20 et 21.
  23. Identifier les écoles élémentaires rurales du conseil qui ne sont pas des écoles élémentaires excentrées.
  24. Additionner les sommes calculées en application de la sous-disposition 16 x pour les écoles élémentaires rurales du conseil identifiées en application de la disposition 23. Si le nombre obtenu pour une école en application de la sous-disposition 16 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 16 x est négatif, celui obtenu pour elle en application de la sous-disposition 16 x est réputé nul pour l'application de la présente disposition.
  25. Additionner les sommes calculées en application de la sous-disposition 16 xi pour les écoles élémentaires rurales du conseil identifiées en application de la disposition 23.
  26. Soustraire la somme calculée en application de la disposition 25 de celle calculée en application de la disposition 24.
  27. Additionner les sommes calculées en application de la sous-disposition 16 x pour les écoles élémentaires excentrées du conseil. Si le nombre obtenu pour une école en application de la sous-disposition 16 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 16 x est négatif, celui obtenu pour elle en application de la sous-disposition 16 x est réputé nul pour l'application de la présente disposition.
  28. Additionner les sommes calculées en application de la sous-disposition 16 xi pour les écoles élémentaires excentrées du conseil.
  29. Soustraire la somme calculée en application de la disposition 28 de celle calculée en application de la disposition 27.
  30. Pour chaque école secondaire du conseil, calculer la somme complémentaire liée au fonctionnement des écoles de la manière suivante :
    - i. Calculer l'effectif de 2008-2009.
    - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe 56 (32). Toutefois, la capacité d'une école pour laquelle le nombre obtenu en application de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
    - iii. Multiplier le nombre calculé en application de la sous-disposition i par la superficie repère requise par élève de 12,07 mètres carrés.
    - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par le coût repère de fonctionnement de 67,41 \$ le mètre carré.



- v. Multiplier le nombre obtenu en application de la sous-disposition iv par le facteur relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (6).
  - vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée en application de la sous-disposition ii, par la superficie repère requise par élève de 12,07 mètres carrés.
  - vii. Multiplier le nombre obtenu en application de la sous-disposition vi par le coût repère de fonctionnement de 67,41 \$ le mètre carré.
  - viii. Multiplier le nombre obtenu en application de la sous-disposition vii par le facteur relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (6).
  - ix. Multiplier par 0,2 le nombre obtenu en application de la sous-disposition viii.
  - x. Soustraire le nombre obtenu en application de la sous-disposition v de celui obtenu en application de la sous-disposition viii.
  - xi. Prendre le moindre du nombre obtenu en application de la sous-disposition ix et de celui obtenu en application de la sous-disposition x pour obtenir la somme complémentaire liée au fonctionnement des écoles secondaires pour l'école en question. Toutefois, si le nombre obtenu en application de la sous-disposition x est nul ou négatif ou que le nombre obtenu en application de la sous-disposition i est nul, cette somme est de zéro.
31. Additionner les sommes complémentaires liées au fonctionnement des écoles, calculées en application de la disposition 30 pour chacune des écoles secondaires du conseil.
  32. Identifier les écoles secondaires du conseil qui sont des écoles secondaires éloignées, au sens du paragraphe 29 (2.6) du règlement sur les subventions de 2003-2004, mais qui ne sont ni des écoles secondaires rurales ni des écoles secondaires excentrées.
  33. Pour chaque école secondaire identifiée en application de la disposition 32, soustraire la somme calculée en application de la disposition 17 du paragraphe 37 (3) du règlement sur les subventions de 2003-2004 de celle calculée en application de la disposition 18.1 de ce paragraphe. Si la différence obtenue pour une école est négative, la somme calculée pour cette école est réputée nulle.
  34. Additionner les sommes calculées en application de la disposition 33 pour les écoles secondaires identifiées en application de la disposition 32.
  35. Prendre la somme éventuelle indiquée à la colonne 3 du tableau 11 en regard du nom du conseil.
  36. Additionner les sommes calculées en application des dispositions 34 et 35.
  37. Identifier les écoles secondaires rurales du conseil qui ne sont pas des écoles secondaires excentrées.
  38. Additionner les sommes calculées en application de la sous-disposition 30 x pour les écoles secondaires rurales du conseil identifiées en application de la disposition 37. Si le nombre obtenu pour une école en application de la sous-disposition 30 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 30 x est négatif, celui obtenu pour elle en application de la sous-disposition 30 x est réputé nul pour l'application de la présente disposition.
  39. Additionner les sommes calculées en application de la sous-disposition 30 xi pour les écoles secondaires rurales du conseil identifiées en application de la disposition 37.
  40. Soustraire la somme calculée en application de la disposition 39 de celle calculée en application de la disposition 38.
  41. Additionner les sommes calculées en application de la sous-disposition 30 x pour les écoles secondaires excentrées du conseil. Si le nombre obtenu pour une école en application de la sous-disposition 30 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 30 x est négatif, celui obtenu pour elle en application de la sous-disposition 30 x est réputé nul pour l'application de la présente disposition.
  42. Additionner les sommes calculées en application de la sous-disposition 30 xi pour les écoles secondaires excentrées du conseil.
  43. Soustraire la somme calculée en application de la disposition 42 de celle calculée en application de la disposition 41.
  44. Prendre le moindre de ce qui suit :
    - i. la somme liée au renouvellement des permis d'utilisation de logiciels indiquée à la colonne 2 du tableau 12 en regard du nom du conseil,
    - ii. les dépenses que le conseil a engagées au titre du renouvellement des permis d'utilisation de logiciels telles qu'elles ont été déclarées au ministère dans les états financiers annuels du conseil pour l'exercice.
  45. Additionner les sommes obtenues en application des dispositions 15, 17, 22, 26, 29, 31, 36, 40, 43 et 44.



(2) Pour l'application de la disposition 3 du paragraphe (1), le ministre approuve le facteur relatif à la superficie supplémentaire des écoles élémentaires pour un conseil qu'il estime indiqué pour tenir compte des besoins en matière d'espace supérieurs à la normale qui sont propres au conseil et qui découlent de l'une ou l'autre des circonstances suivantes :

- a) le conseil fait fonctionner une école qu'il est raisonnable de croire trop grande pour la collectivité qu'elle dessert, pour quelque raison que ce soit, notamment la baisse des effectifs;
- b) le conseil fait fonctionner une école dans un bâtiment dont il est raisonnable de trouver que les caractéristiques physiques ne correspondent pas à la superficie repère requise visée au paragraphe (1) ni ne peuvent être modifiées facilement pour y correspondre;
- c) le conseil a des besoins en matière d'espace supérieurs à la normale parce qu'il dessert un nombre supérieur à la normale d'élèves qui sont inscrits à des programmes d'enseignement à l'enfance en difficulté ou à d'autres programmes d'enseignement qui ont besoin de beaucoup d'espace;
- d) il existe d'autres circonstances approuvées par le ministre.

(3) Lors du calcul d'une somme pour l'application du paragraphe (2), le ministre tient compte de l'incidence des circonstances visées aux alinéas (2) a) à d) sur les besoins du conseil en matière d'espace.

(4) Sous réserve du paragraphe (5), les paragraphes (2) et (3) s'appliquent, avec les adaptations nécessaires, pour obliger le ministre à approuver un facteur relatif à la superficie supplémentaire liée à l'éducation permanente et autres programmes pour un conseil. À cette fin, la mention de la superficie des écoles élémentaires est réputée une mention de la superficie liée à l'éducation permanente et autres programmes.

(5) Le ministre ne doit pas approuver, en vertu du paragraphe (4), un facteur pour un conseil qui est supérieur à celui qu'il a approuvé en vertu du paragraphe (6).

(6) Les paragraphes (2) et (3) s'appliquent, avec les adaptations nécessaires, pour obliger le ministre à approuver un facteur relatif à la superficie supplémentaire des écoles secondaires pour un conseil. À cette fin, la mention de la superficie des écoles élémentaires est réputée une mention de la superficie des écoles secondaires.

#### Somme liée à la réfection des écoles

47. La somme liée à la réfection des écoles qui est versée au conseil pour l'exercice est calculée de la manière suivante :

1. Prendre le pourcentage de la superficie totale des écoles élémentaires du conseil qui se rapporte aux bâtiments qui datent de moins de 20 ans, tel qu'il est indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
2. Appliquer le pourcentage visé à la disposition 1 au coût repère au mètre carré de réfection des écoles de 7,03 \$.
3. Prendre le pourcentage de la superficie totale des écoles élémentaires du conseil qui se rapporte aux bâtiments qui datent de 20 ans ou plus, tel qu'il est indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
4. Appliquer le pourcentage visé à la disposition 3 au coût repère au mètre carré de réfection des écoles de 10,54 \$.
5. Additionner les sommes obtenues en application des dispositions 2 et 4 pour obtenir le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires.
6. Multiplier la somme obtenue en application de la disposition 5 par la superficie redressée des écoles élémentaires requise pour le conseil calculée en application de la disposition 3 du paragraphe 46 (1).
7. Prendre le pourcentage de la superficie totale des écoles secondaires du conseil qui se rapporte aux bâtiments qui datent de moins de 20 ans, tel qu'il est indiqué à la colonne 4 du tableau 14 en regard du nom du conseil.
8. Appliquer le pourcentage visé à la disposition 7 au coût repère au mètre carré de réfection des écoles de 7,03 \$.
9. Prendre le pourcentage de la superficie totale des écoles secondaires du conseil qui se rapporte aux bâtiments qui datent de 20 ans ou plus, tel qu'il est indiqué à la colonne 5 du tableau 14 en regard du nom du conseil.
10. Appliquer le pourcentage visé à la disposition 9 au coût repère au mètre carré de réfection des écoles de 10,54 \$.
11. Additionner les sommes obtenues en application des dispositions 8 et 10 pour obtenir le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires.
12. Multiplier la somme obtenue en application de la disposition 11 par la superficie redressée des écoles secondaires requise pour le conseil calculée en application de la disposition 13 du paragraphe 46 (1).
13. Multiplier la somme obtenue en application de la disposition 11 par la superficie redressée liée à l'éducation permanente et autres programmes requise pour le conseil calculée en application de la disposition 10 du paragraphe 46 (1).
14. Pour chaque école élémentaire du conseil, calculer une somme complémentaire liée à la réfection des écoles, de la manière suivante :

- i. Calculer l'effectif de 2008-2009.
  - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe 56 (31). Toutefois, la capacité d'une école pour laquelle le nombre obtenu en application de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
  - iii. Multiplier le nombre calculé en application de la sous-disposition i par la superficie repère requise par élève de 9,7 mètres carrés.
  - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires, calculé pour le conseil en application de la disposition 5.
  - v. Multiplier le nombre obtenu en application de la sous-disposition iv par le facteur relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes 46 (2) et (3).
  - vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée en application de la sous-disposition ii, par la superficie repère requise par élève de 9,7 mètres carrés.
  - vii. Multiplier le nombre obtenu en application de la sous-disposition vi par le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires, calculé pour le conseil en application de la disposition 5.
  - viii. Multiplier le nombre obtenu en application de la sous-disposition vii par le facteur relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes 46 (2) et (3).
  - ix. Multiplier par 0,2 le nombre obtenu en application de la sous-disposition viii.
  - x. Soustraire le nombre obtenu en application de la sous-disposition v de celui obtenu en application de la sous-disposition viii.
  - xi. Prendre le moindre du nombre obtenu en application de la sous-disposition ix et de celui obtenu en application de la sous-disposition x pour obtenir la somme complémentaire liée à la réfection des écoles élémentaires pour l'école. Toutefois, si le nombre obtenu en application de la sous-disposition x est nul ou négatif ou que le nombre obtenu en application de la sous-disposition i est nul, la somme complémentaire liée à la réfection des écoles élémentaires pour l'école en question est de zéro.
15. Additionner les sommes complémentaires liées à la réfection des écoles, calculées en application de la disposition 14 pour chacune des écoles élémentaires du conseil.
  16. Identifier les écoles élémentaires du conseil qui sont des écoles élémentaires éloignées, au sens du paragraphe 29 (2.1) du règlement sur les subventions de 2003-2004, mais qui ne sont ni des écoles élémentaires rurales ni des écoles élémentaires excentrées.
  17. Pour chaque école élémentaire identifiée en application de la disposition 16, soustraire la somme calculée en application de la disposition 14 du paragraphe 37 (9) du règlement sur les subventions de 2003-2004 de celle calculée en application de la disposition 14.1 de ce paragraphe. Si la différence obtenue pour une école est négative, la somme calculée pour cette école est réputée nulle.
  18. Additionner les sommes calculées en application de la disposition 17 pour les écoles élémentaires identifiées en application de la disposition 16.
  19. Prendre la somme éventuelle indiquée à la colonne 4 du tableau 11 en regard du nom du conseil.
  20. Additionner les sommes calculées en application des dispositions 18 et 19.
  21. Identifier les écoles élémentaires rurales du conseil qui ne sont pas des écoles élémentaires excentrées.
  22. Additionner les sommes calculées en application de la sous-disposition 14 x pour les écoles élémentaires rurales du conseil identifiées en application de la disposition 21. Si le nombre obtenu pour une école en application de la sous-disposition 14 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 14 x est négatif, celui obtenu pour elle en application de la sous-disposition 14 x est réputé nul pour l'application de la présente disposition.
  23. Additionner les sommes calculées en application de la sous-disposition 14 xi pour les écoles élémentaires rurales du conseil identifiées en application de la disposition 21.
  24. Soustraire la somme calculée en application de la disposition 23 de celle calculée en application de la disposition 22.
  25. Additionner les sommes calculées en application de la sous-disposition 14 x pour les écoles élémentaires excentrées du conseil. Si le nombre obtenu pour une école en application de la sous-disposition 14 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 14 x est négatif, celui obtenu pour elle en application de la sous-disposition 14 x est réputé nul pour l'application de la présente disposition.



26. Additionner les sommes calculées en application de la sous-disposition 14 xi pour les écoles élémentaires excentrées du conseil.
27. Soustraire la somme calculée en application de la disposition 26 de celle calculée en application de la disposition 25.
28. Pour chaque école secondaire du conseil, calculer la somme complémentaire liée à la réfection des écoles de la manière suivante :
  - i. Calculer l'effectif de 2008-2009.
  - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe 56 (32). Toutefois, la capacité d'une école pour laquelle le nombre obtenu en application de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
  - iii. Multiplier le nombre calculé en application de la sous-disposition i par la superficie repère requise par élève de 12,07 mètres carrés.
  - iv. Multiplier le nombre obtenu en application de la sous-disposition iii par le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires, calculé pour le conseil en application de la disposition 11.
  - v. Multiplier le nombre obtenu en application de la sous-disposition iv par le facteur relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe 46 (6).
  - vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée en application de la sous-disposition ii, par la superficie repère requise par élève de 12,07 mètres carrés.
  - vii. Multiplier le nombre obtenu en application de la sous-disposition vi par le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires, calculé pour le conseil en application de la disposition 11.
  - viii. Multiplier le nombre obtenu en application de la sous-disposition vii par le facteur relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe 46 (6).
  - ix. Multiplier par 0,2 le nombre obtenu en application de la sous-disposition viii.
  - x. Soustraire le nombre obtenu en application de la sous-disposition v de celui obtenu en application de la sous-disposition viii.
  - xi. Prendre le moindre du nombre obtenu en application de la sous-disposition ix et de celui obtenu en application de la sous-disposition x pour obtenir la somme complémentaire liée à la réfection des écoles secondaires pour l'école. Toutefois, si le nombre obtenu en application de la sous-disposition x est nul ou négatif ou que le nombre obtenu en application de la sous-disposition i est nul, la somme complémentaire liée à la réfection des écoles secondaires pour l'école en question est de zéro.
29. Additionner les sommes complémentaires liées à la réfection des écoles, calculées en application de la disposition 28 pour chacune des écoles secondaires du conseil.
30. Identifier les écoles secondaires du conseil qui sont des écoles secondaires éloignées, au sens du paragraphe 29 (2.6) du règlement sur les subventions de 2003-2004, mais qui ne sont ni des écoles secondaires rurales ni des écoles secondaires excentrées.
31. Pour chaque école secondaire identifiée en application de la disposition 30, soustraire la somme calculée en application de la disposition 16 du paragraphe 37 (9) du règlement sur les subventions de 2003-2004 de celle calculée en application de la disposition 16.1 de ce paragraphe. Si la différence obtenue pour une école est négative, la somme calculée pour cette école est réputée nulle.
32. Additionner les sommes calculées en application de la disposition 31 pour les écoles secondaires identifiées en application de la disposition 30.
33. Prendre la somme éventuelle indiquée à la colonne 5 du tableau 11 en regard du nom du conseil.
34. Additionner les sommes calculées en application des dispositions 32 et 33.
35. Identifier les écoles secondaires rurales du conseil qui ne sont pas des écoles secondaires excentrées.
36. Additionner les sommes calculées en application de la sous-disposition 28 x pour les écoles secondaires rurales du conseil identifiées en application de la disposition 35. Si le nombre obtenu pour une école en application de la sous-disposition 28 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 28 x est négatif, celui obtenu pour elle en application de la sous-disposition 28 x est réputé nul pour l'application de la présente disposition.
37. Additionner les sommes calculées en application de la sous-disposition 28 xi pour les écoles secondaires rurales du conseil identifiées en application de la disposition 35.



38. Soustraire la somme calculée en application de la disposition 37 de celle calculée en application de la disposition 36.
39. Additionner les sommes calculées en application de la sous-disposition 28 x pour les écoles secondaires excentrées du conseil. Si le nombre obtenu pour une école en application de la sous-disposition 28 i est nul ou si le nombre obtenu pour l'école en application de la sous-disposition 28 x est négatif, celui obtenu pour elle en application de la sous-disposition 28 x est réputé nul pour l'application de la présente disposition.
40. Additionner les sommes calculées en application de la sous-disposition 28 xi pour les écoles secondaires excentrées du conseil.
41. Soustraire la somme calculée en application de la disposition 40 de celle calculée en application de la disposition 39.
42. Prendre l'augmentation au titre de la réfection des écoles indiquée en regard du nom du conseil au tableau 15.
43. Additionner les sommes obtenues en application des dispositions 6, 12, 13, 15, 24, 27, 29, 38, 41 et 42.
44. Multiplier le total obtenu en application de la disposition 43 par le facteur de redressement géographique indiqué pour le conseil à la colonne 3 du tableau 16.
45. Additionner les sommes calculées en application des dispositions 20, 34 et 44.

**Somme liée aux travaux de réfection urgents et importants**

**48. (1)** La somme liée aux travaux de réfection urgents et importants qui est versée au conseil pour l'exercice est calculée de la manière suivante :

1. Pour les travaux de réfection urgents et importants visés au paragraphe (2), calculer la portion du coût des travaux indiqué à la colonne 2 du tableau 17, en regard du nom du conseil, que celui-ci a engagée pendant chacun des exercices 2004-2005, 2005-2006, 2006-2007, 2007-2008 et 2008-2009 à l'égard des travaux de construction ou de rénovation les concernant qui ont été entrepris au plus tôt le 18 mars 2005.
2. Additionner les portions calculées en application de la disposition 1 pour chacun des cinq exercices.
3. Pour les travaux de réfection urgents et importants visés au paragraphe (3), calculer la portion du coût des travaux indiqué à la colonne 3 du tableau 17, en regard du nom du conseil, que celui-ci a engagée pendant chacun des exercices 2005-2006, 2006-2007, 2007-2008 et 2008-2009 à l'égard des travaux de construction ou de rénovation les concernant qui ont été entrepris au plus tôt le 1<sup>er</sup> janvier 2006.
4. Additionner les portions calculées en application de la disposition 3 pour chacun des quatre exercices.
5. Pour les travaux de réfection urgents et importants visés au paragraphe (4), calculer la portion du coût des travaux indiqué à la colonne 4 du tableau 17, en regard du nom du conseil, que celui-ci a engagée pendant chacun des exercices 2006-2007, 2007-2008 et 2008-2009 à l'égard des travaux de construction ou de rénovation les concernant qui ont été entrepris au plus tôt le 1<sup>er</sup> janvier 2007.
6. Additionner les portions calculées en application de la disposition 5 pour chacun des trois exercices.
7. Additionner les sommes calculées en application des dispositions 2, 4 et 6.
8. Calculer la portion de la somme calculée en application de la disposition 7 à l'égard de laquelle le conseil est redevable d'intérêts à court terme.
9. Prendre le moindre des montants suivants :
  - i. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2008-2009 à l'égard de la somme calculée en application de la disposition 8,
  - ii. le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 8 si chaque emprunt avait été assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,20 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
10. Calculer la portion de la somme calculée en application de la disposition 7 à l'égard de laquelle le conseil n'est pas redevable d'intérêts.
11. Calculer le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion visée à la disposition 10 si chaque montant la composant avait été emprunté à la date où il est retiré des réserves du conseil au taux d'intérêt annuel des acceptations bancaires de trois mois en vigueur le 2 septembre 2008.
12. Calculer le total du capital et des intérêts que le conseil a engagés au cours de l'exercice 2008-2009 à l'égard des fonds qu'il a empruntés auprès de l'Office ontarien de financement pour payer le coût ou une portion du coût calculé en application de la disposition 7.
13. Additionner les sommes éventuelles calculées en application des dispositions 9, 11 et 12.

(2) Pour l'application de la disposition 1 du paragraphe (1), les travaux de réfection urgents et importants s'entendent des travaux qui réunissent les conditions suivantes :

- a) ils sont effectués dans les écoles du conseil indiquées à l'annexe B du document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 1», que l'on peut consulter de la manière indiquée au paragraphe 3 (6);
- b) le ministre les a approuvés individuellement, comme l'indique le document mentionné à l'alinéa a), au motif qu'ils répondaient chacun à des besoins de réfection urgents et importants dans l'école concernée.

(3) Pour l'application de la disposition 3 du paragraphe (1), les travaux de réfection urgents et importants s'entendent des travaux qui réunissent les conditions suivantes :

- a) ils sont effectués dans les écoles du conseil indiquées à l'annexe C du document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 2», que l'on peut consulter de la manière indiquée au paragraphe 3 (6);
- b) le ministre les a approuvés individuellement, comme l'indique le document mentionné à l'alinéa a), au motif qu'ils répondaient chacun à des besoins de réfection urgents et importants dans l'école concernée.

(4) Pour l'application de la disposition 5 du paragraphe (1), les travaux de réfection urgents et importants s'entendent des travaux qui réunissent les conditions suivantes :

- a) ils sont effectués dans les écoles du conseil indiquées à l'annexe B du document intitulé «Lieux propices à l'apprentissage : Allocation de la phase 3», que l'on peut consulter de la manière indiquée au paragraphe 3 (6);
- b) le ministre les a approuvés individuellement, comme l'indique le document mentionné à l'alinéa a), au motif qu'ils répondaient chacun à des besoins de réfection urgents et importants dans l'école concernée.

#### Somme liée aux nouvelles places

49. (1) La somme liée aux nouvelles places qui est versée au conseil pour l'exercice est calculée de la manière suivante :

1. Calculer le nombre de nouvelles places à l'élémentaire que le conseil déclare, au plus tard le 31 août 2005, comme ayant été aménagées au plus tard le 30 septembre 2003 et financées en totalité ou en partie à l'aide de sommes calculées pour le conseil en application d'une disposition que remplace le présent paragraphe. À cette fin, une nouvelle place est établie par le conseil conformément au Guide d'instructions, que l'on peut consulter de la manière indiquée au paragraphe 3 (1).
2. Calculer le nombre de nouvelles places à l'élémentaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 30 septembre 2008 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
3. Calculer le nombre de nouvelles places à l'élémentaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 31 mars 2009 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
4. Calculer le coût de construction, déclaré au plus tard le 31 août 2009, des travaux d'agrandissement permanent des écoles élémentaires à l'égard des aires d'enseignement auxquelles s'applique une charge 0, établie en application du paragraphe 56 (6), lorsque, selon le cas :
  - i. la construction des travaux est achevée au plus tard le 30 septembre 2008,
  - ii. les travaux sont en cours de construction à cette date,
  - iii. le conseil a attribué des contrats de construction pour les travaux au plus tard à cette date.
5. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 4 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
6. Calculer le coût de construction, déclaré au plus tard le 31 août 2009, des travaux d'agrandissement permanent des écoles élémentaires à l'égard des aires d'enseignement auxquelles s'applique une charge 0, établie en application du paragraphe 56 (6), lorsque, selon le cas :
  - i. la construction des travaux est achevée au plus tard le 31 mars 2009,
  - ii. les travaux sont en cours de construction à cette date,
  - iii. le conseil a attribué des contrats de construction pour les travaux au plus tard à cette date.
7. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 6 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
8. Calculer les frais de location à bail à l'égard des nouvelles places à l'élémentaire qui ont été payés au cours de l'exercice 2008-2009 et déclarés au plus tard le 31 août 2009.
9. Calculer les frais d'installations d'accueil temporaires à l'égard des nouvelles places à l'élémentaire qui sont engagés au cours des exercices 2005-2006, 2006-2007, 2007-2008 et 2008-2009 et déclarés au plus tard le 31 août 2009, ces frais ne comprenant pas les sommes calculées en application de la disposition 8 ou d'une disposition qu'elle remplace à l'égard d'un exercice antérieur.



10. Soustraire de la somme calculée en application de la disposition 9 celle calculée à l'égard du conseil en application de la disposition 9 du paragraphe 36 (10) du règlement sur les subventions de 2005-2006.
11. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 10 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
12. Additionner les sommes calculées en application des dispositions 8 et 11.
13. Multiplier le nombre obtenu en application de la disposition 1 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
14. Multiplier le produit obtenu en application de la disposition 13 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
15. Multiplier la somme calculée en application de la disposition 14 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 16 en regard du nom du conseil.
16. Soustraire le nombre obtenu en application de la disposition 1 de celui obtenu en application de la disposition 2.
17. Multiplier le nombre obtenu en application de la disposition 16 par la superficie repère requise par élève de 9,7 mètres carrés.
18. Multiplier le produit obtenu en application de la disposition 17 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
19. Multiplier la somme calculée en application de la disposition 18 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
20. Soustraire le nombre obtenu en application de la disposition 2 de celui obtenu en application de la disposition 3.
21. Multiplier le nombre obtenu en application de la disposition 20 par la superficie repère requise par élève de 9,7 mètres carrés.
22. Multiplier le produit obtenu en application de la disposition 21 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
23. Multiplier la somme calculée en application de la disposition 22 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
24. Soustraire la somme calculée en application de la disposition 5 de celle calculée en application de la disposition 7.
25. Additionner les sommes calculées en application des dispositions 23 et 24.
26. Multiplier par 0,37 la somme calculée en application de la disposition 25.
27. Additionner les sommes calculées en application des dispositions 5, 12, 15, 19 et 26.
28. Pour chaque établissement élémentaire du conseil qui en était également un au cours de l'exercice 2005-2006, appliquer les charges établies en application du paragraphe 37 (16) du règlement sur les subventions de 2004-2005 aux aires d'enseignement de l'établissement, classées en application de ce paragraphe.
29. Additionner les nombres obtenus en application de la disposition 28 pour les établissements élémentaires du conseil.
30. Additionner les nombres éventuels obtenus à l'égard du conseil en application des dispositions suivantes :
  - i. Le paragraphe 56 (8), s'il s'applique comme le prévoit le paragraphe 56 (7).
  - ii. Le paragraphe 56 (19), s'il s'applique comme le prévoit le paragraphe 56 (18).
  - iii. Le paragraphe 56 (22), s'il s'applique comme le prévoit le paragraphe 56 (21).
  - iv. Le paragraphe 51 (8) du règlement sur les subventions de 2007-2008.
  - v. Le paragraphe 51 (19) du règlement sur les subventions de 2007-2008.
  - vi. Le paragraphe 51 (22) du règlement sur les subventions de 2007-2008.
  - vii. Le paragraphe 39 (24) du règlement sur les subventions de 2006-2007.
  - viii. Le paragraphe 39 (35) du règlement sur les subventions de 2006-2007.
  - ix. Le paragraphe 39 (38) du règlement sur les subventions de 2006-2007.
  - x. Le paragraphe 36 (18) du règlement sur les subventions de 2005-2006.
  - xi. Le paragraphe 36 (29) du règlement sur les subventions de 2005-2006.
  - xii. Le paragraphe 36 (32) du règlement sur les subventions de 2005-2006.



31. Soustraire le nombre obtenu en application de la disposition 30 de celui obtenu en application de la disposition 29.
32. Ajouter au nombre obtenu en application de la disposition 31 la somme éventuelle des nombres obtenus à l'égard du conseil en application des dispositions suivantes :
  - i. Le paragraphe 56 (1).
  - ii. Le paragraphe 56 (11), s'il s'applique comme le prévoit le paragraphe 56 (10).
  - iii. Le paragraphe 56 (16), s'il s'applique comme le prévoit le paragraphe 56 (14).
  - iv. Le paragraphe 56 (24).
  - v. Le paragraphe 56 (28), s'il s'applique comme le prévoit le paragraphe 56 (27).
  - vi. Le paragraphe 51 (1) du règlement sur les subventions de 2007-2008.
  - vii. Le paragraphe 51 (11) du règlement sur les subventions de 2007-2008.
  - viii. Le paragraphe 51 (16) du règlement sur les subventions de 2007-2008.
  - ix. Le paragraphe 51 (24) du règlement sur les subventions de 2007-2008.
  - x. Le paragraphe 51 (28) du règlement sur les subventions de 2007-2008.
  - xi. Le paragraphe 39 (17) du règlement sur les subventions de 2006-2007.
  - xii. Le paragraphe 39 (27) du règlement sur les subventions de 2006-2007.
  - xiii. Le paragraphe 39 (32) du règlement sur les subventions de 2006-2007.
  - xiv. Le paragraphe 39 (40) du règlement sur les subventions de 2006-2007.
  - xv. Le paragraphe 39 (45) du règlement sur les subventions de 2006-2007.
  - xvi. Le paragraphe 36 (11) du règlement sur les subventions de 2005-2006.
  - xvii. Le paragraphe 36 (21) du règlement sur les subventions de 2005-2006.
  - xviii. Le paragraphe 36 (26) du règlement sur les subventions de 2005-2006.
  - xix. Le paragraphe 36 (34) du règlement sur les subventions de 2005-2006.
  - xx. Le paragraphe 36 (39) du règlement sur les subventions de 2005-2006.
33. Soustraire le nombre obtenu en application de la disposition 32 de l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2008-2009. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
34. Ajouter au nombre obtenu en application de la disposition 33 la somme éventuelle des nombres dont chacun correspond au nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé pour un exercice antérieur.
35. Ajouter au nombre obtenu en application de la disposition 34 la somme éventuelle des nombres de nouvelles places à l'élémentaire nécessaires au titre du redressement temporaire des immobilisations, calculés pour un exercice antérieur, à l'égard des places indiquées à la colonne 4 du tableau 20 dans les municipalités indiquées à la colonne 2 en regard du nom du conseil.
36. Ajouter au nombre obtenu en application de la disposition 35 le nombre éventuel de nouvelles places à l'élémentaire nécessaires au titre du redressement des immobilisations en 2005, lequel est indiqué à la colonne 2 du tableau 18 en regard du nom du conseil.
37. Soustraire le nombre obtenu à l'égard du conseil en application de la disposition 2 du paragraphe 37 (10) du règlement sur les subventions de 2003-2004 de celui obtenu à son égard en application de la disposition 3.2 de ce paragraphe. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
38. Additionner les nombres obtenus en application des dispositions 36 et 37.
39. Ajouter au nombre obtenu en application de la disposition 38 le nombre éventuel de nouvelles places dont le conseil a besoin à l'égard de ses écoles élémentaires dont le coût des réparations, calculé pour un exercice antérieur, est prohibitif et dont le nom figure à la colonne 3 du tableau 22 en regard du nom du conseil à la colonne 1.
40. Si le nombre obtenu en application de la disposition 33 est nul, ajouter le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé en application du paragraphe 56 (1), à celui obtenu en application de la disposition 39.
41. Prendre le moindre des nombres obtenus en application des dispositions suivantes :

- i. la disposition 1,
  - ii. la disposition 39 ou 40, selon le cas.
42. Soustraire le nombre obtenu en application de la disposition 41 de celui obtenu en application de la disposition 39 ou 40, selon le cas.
  43. Multiplier le nombre obtenu en application de la disposition 41 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
  44. Multiplier le produit obtenu en application de la disposition 43 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
  45. Multiplier la somme calculée en application de la disposition 44 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 16 en regard du nom du conseil.
  46. Multiplier le nombre obtenu en application de la disposition 42 par la superficie repère requise par élève de 9,7 mètres carrés.
  47. Multiplier le produit obtenu en application de la disposition 46 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
  48. Multiplier la somme calculée en application de la disposition 47 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
  49. Additionner les sommes calculées en application des dispositions 45 et 48.
  50. Calculer le nombre de nouvelles places au secondaire que le conseil déclare, au plus tard le 31 août 2005, comme ayant été aménagées au plus tard le 30 septembre 2003 et financées en totalité ou en partie à l'aide de sommes calculées pour le conseil en application d'une disposition que remplace le présent paragraphe. À cette fin, une nouvelle place est établie par le conseil conformément au Guide d'instructions, que l'on peut consulter de la manière indiquée au paragraphe 3 (1).
  51. Calculer le nombre de nouvelles places au secondaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 30 septembre 2008 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
  52. Calculer le nombre de nouvelles places au secondaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 31 mars 2009 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
  53. Calculer le coût de construction, déclaré au plus tard le 31 août 2009, des travaux d'agrandissement permanent des écoles secondaires à l'égard des aires d'enseignement auxquelles s'applique une charge 0, établie en application du paragraphe 56 (6), lorsque, selon le cas :
    - i. la construction des travaux est achevée au plus tard le 30 septembre 2008,
    - ii. les travaux sont en cours de construction à cette date,
    - iii. le conseil a attribué des contrats de construction pour les travaux au plus tard à cette date.
  54. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 53 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
  55. Calculer le coût de construction, déclaré au plus tard le 31 août 2009, des travaux d'agrandissement permanent des écoles secondaires à l'égard des aires d'enseignement auxquelles s'applique une charge 0, établie en application du paragraphe 56 (6), lorsque, selon le cas :
    - i. la construction des travaux est achevée au plus tard le 31 mars 2009,
    - ii. les travaux sont en cours de construction à cette date,
    - iii. le conseil a attribué des contrats de construction pour les travaux au plus tard à cette date.
  56. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 55 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
  57. Calculer les frais de location à bail à l'égard des nouvelles places au secondaire qui ont été payés au cours de l'exercice 2008-2009 et déclarés au plus tard le 31 août 2009.
  58. Calculer les frais d'installations d'accueil temporaires à l'égard des nouvelles places au secondaire qui ont été engagés au cours des exercices 2005-2006, 2006-2007, 2007-2008 et 2008-2009 et déclarés au plus tard le 31 août 2009, ces frais ne comprenant pas les sommes calculées en application de la disposition 57 ou d'une disposition qu'elle remplace à l'égard d'un exercice antérieur.
  59. Soustraire de la somme calculée en application de la disposition 58 celle calculée à l'égard du conseil en application de la disposition 57 du paragraphe 36 (10) du règlement sur les subventions de 2005-2006.



60. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 59 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
61. Additionner les sommes calculées en application des dispositions 57 et 60.
62. Multiplier le nombre obtenu en application de la disposition 50 par la superficie repère requise par élève de 12,07 mètres carrés.
63. Multiplier le produit obtenu en application de la disposition 62 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 129,17 \$ le mètre carré.
64. Multiplier la somme calculée en application de la disposition 63 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 16 en regard du nom du conseil.
65. Soustraire le nombre obtenu en application de la disposition 50 de celui obtenu en application de la disposition 51.
66. Multiplier le nombre obtenu en application de la disposition 65 par la superficie repère requise par élève de 12,07 mètres carrés.
67. Multiplier le produit obtenu en application de la disposition 66 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
68. Multiplier la somme calculée en application de la disposition 67 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
69. Soustraire le nombre obtenu en application de la disposition 51 de celui obtenu en application de la disposition 52.
70. Multiplier le nombre obtenu en application de la disposition 69 par la superficie repère requise par élève de 12,07 mètres carrés.
71. Multiplier le produit obtenu en application de la disposition 70 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
72. Multiplier la somme calculée en application de la disposition 71 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
73. Soustraire la somme calculée en application de la disposition 54 de celle calculée en application de la disposition 56.
74. Additionner les sommes calculées en application des dispositions 72 et 73.
75. Multiplier par 0,37 la somme calculée en application de la disposition 74.
76. Additionner les sommes calculées en application des dispositions 54, 61, 64, 68 et 75.
77. Calculer l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2008-2009.
78. Soustraire la capacité d'accueil au secondaire du conseil calculée en application du paragraphe 56 (5) du nombre obtenu en application de la disposition 77. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
79. Ajouter au nombre obtenu en application de la disposition 78 la somme éventuelle des nombres dont chacun correspond au nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé pour un exercice antérieur.
80. Ajouter au nombre obtenu en application de la disposition 79 la somme éventuelle des nombres de nouvelles places au secondaire nécessaires au titre du redressement temporaire des immobilisations, calculés pour un exercice antérieur, à l'égard des places indiquées à la colonne 5 du tableau 20 dans les municipalités indiquées à la colonne 2 en regard du nom du conseil.
81. Ajouter au nombre obtenu en application de la disposition 80 le nombre éventuel de nouvelles places au secondaire nécessaires au titre du redressement des immobilisations en 2005, lequel est indiqué à la colonne 3 du tableau 18 en regard du nom du conseil.
82. Soustraire le nombre obtenu à l'égard du conseil en application de la disposition 17 du paragraphe 37 (10) du règlement sur les subventions de 2003-2004 de celui obtenu à son égard en application de la disposition 18.2 de ce paragraphe. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
83. Additionner les nombres obtenus en application des dispositions 81 et 82.
84. Ajouter au nombre obtenu en application de la disposition 83 le nombre éventuel de nouvelles places dont le conseil a besoin à l'égard de ses écoles secondaires dont le coût des réparations, calculé pour un exercice antérieur, est prohibitif et dont le nom figure à la colonne 4 du tableau 22 en regard du nom de conseil à la colonne 1.
85. Si le nombre obtenu en application de la disposition 78 est nul, ajouter le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé en application du paragraphe 56 (3), à celui obtenu en application de la disposition 84.



86. Prendre le moindre des nombres obtenus en application des dispositions suivantes :
  - i. la disposition 50,
  - ii. la disposition 84 ou 85, selon le cas.
87. Soustraire le nombre obtenu en application de la disposition 86 de celui obtenu en application de la disposition 84 ou 85, selon le cas.
88. Multiplier le nombre obtenu en application de la disposition 86 par la superficie repère requise par élève de 12,07 mètres carrés.
89. Multiplier le produit obtenu en application de la disposition 88 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 129,17 \$ le mètre carré.
90. Multiplier la somme calculée en application de la disposition 89 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 16 en regard du nom du conseil.
91. Multiplier le nombre obtenu en application de la disposition 87 par la superficie repère requise par élève de 12,07 mètres carrés.
92. Multiplier le produit obtenu en application de la disposition 91 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
93. Multiplier la somme calculée en application de la disposition 92 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
94. Additionner les sommes calculées en application des dispositions 90 et 93.
95. Additionner les sommes calculées en application des dispositions 27 et 76.
96. Additionner les sommes calculées en application des dispositions 49 et 94.
97. Ajouter à la somme calculée en application de la disposition 96 la somme éventuelle obtenue à l'égard du conseil en application de la disposition 35 du paragraphe 37 (10) du règlement sur les subventions de 2004-2005.
98. Prendre la moindre des sommes calculées en application des dispositions 95 et 97.
99. Calculer la part de chacun des travaux d'immobilisations du conseil, à savoir les travaux effectués aux fins visées à l'article 1 du Règlement de l'Ontario 446/98 (Fonds de réserve) pris en application de la Loi, y compris les travaux achevés le 31 août 2009, ceux en cours de construction à cette date ou ceux pour lesquels le conseil a attribué un contrat de construction au plus tard à la même date, qui était financée en totalité ou en partie à l'aide de sommes calculées en application du présent paragraphe ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur.
100. Pour les travaux d'immobilisations visés à la disposition 99, calculer la dette contractée entre le 31 août 1998 et le 31 août 2009 à l'égard de la part calculée pour chacun d'eux en application de la disposition 99, la dette excluant ce qui suit :
  - i. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire occasionnées par la baisse de l'effectif des classes du cycle primaire en application du paragraphe 50 (1) ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur,
  - ii. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire ou au secondaire qui sont mentionnées dans le plan présenté en application du paragraphe 51 (3), ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur, en ce qui concerne la somme liée aux écoles des quartiers à forte croissance,
  - iii. la dette liée aux sommes calculées en application des articles 52, 53, 54 et 55,
  - iv. la dette avec ou sans financement permanent, au sens du paragraphe 57 (2).
101. Additionner les sommes calculées en application de la disposition 100 pour les travaux d'immobilisations mentionnés à la disposition 99.
102. Calculer les frais annuels de service de la dette engagés au cours de l'exercice 2008-2009 à l'égard de la somme calculée en application de la disposition 101.
103. Pour chaque bail pluriannuel conclu entièrement ou en partie afin de fournir des aires d'enseignement, à l'exclusion des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, calculer la somme payable pendant l'exercice 2008-2009 à l'égard de la fourniture d'aires d'enseignement.
104. Additionner les sommes calculées en application de la disposition 103 pour tous les baux pluriannuels visés à cette disposition.
105. Additionner les sommes calculées en application des dispositions 102 et 104.

106. Soustraire la somme calculée en application de la disposition 98 de celle calculée en application de la disposition 97. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
107. Soustraire la somme calculée en application de la disposition 98 de celle calculée en application de la disposition 105. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
108. Prendre la moindre des sommes calculées en application des dispositions 106 et 107.
109. Additionner les sommes obtenues en application des dispositions 98 et 108.
110. Calculer la part de chacun des travaux d'immobilisations du conseil, à savoir les travaux effectués aux fins visées au paragraphe 1 (2) du Règlement de l'Ontario 446/98, y compris les travaux achevés le 31 août 2006, ceux en cours de construction à cette date ou ceux pour lesquels le conseil a attribué un contrat de construction au plus tard à la même date, qui était financée en totalité ou en partie à l'aide de sommes calculées en application du présent paragraphe ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur.
111. Pour les travaux d'immobilisations visés à la disposition 110, calculer la dette contractée entre le 31 août 1998 et le 31 août 2009 à l'égard de la part calculée pour chacun d'eux en application de la disposition 110, la dette excluant ce qui suit :
  - i. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire occasionnées par la baisse de l'effectif des classes du cycle primaire en application du paragraphe 50 (1) ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur,
  - ii. la dette contractée pour financer l'aménagement des nouvelles places à l'élémentaire ou au secondaire qui sont mentionnées dans le plan présenté en application du paragraphe 51 (3), ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur, en ce qui concerne la somme liée aux écoles des quartiers à forte croissance,
  - iii. la dette liée aux sommes calculées en application des articles 52, 53, 54 et 55,
  - iv. la dette avec ou sans financement permanent, au sens du paragraphe 57 (2).
112. Additionner les sommes calculées en application de la disposition 111 pour les travaux d'immobilisations mentionnés à la disposition 110.
113. Calculer les frais annuels de service de la dette engagés au cours de l'exercice 2008-2009 à l'égard de la somme calculée en application de la disposition 112.
114. Calculer les frais annuels de service de la dette engagés au cours de l'exercice 2008-2009 à l'égard de la somme calculée en application du paragraphe (4).
115. Pour chaque bail pluriannuel conclu au plus tard le 31 août 2006 entièrement ou en partie afin de fournir des aires d'enseignement, à l'exclusion des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, calculer la somme payable pendant l'exercice 2008-2009 à l'égard de la fourniture d'aires d'enseignement.
116. Additionner les sommes calculées en application de la disposition 115 pour tous les baux pluriannuels visés à cette disposition.
117. Additionner les sommes calculées en application des dispositions 114 et 116.
118. Prendre la moindre de la somme calculée en application de la disposition 117 et de celle calculée à l'égard du conseil en application de la disposition 110 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007.
119. Additionner les sommes calculées en application des dispositions 113 et 118.
120. Calculer une somme pour le conseil conformément au paragraphe (2).
121. Soustraire la somme calculée en application de la disposition 120 de celle calculée en application de la disposition 119. Si la différence est négative, la somme calculée en application de la présente disposition est réputée nulle.
122. Si la somme calculée en application de la disposition 121 est inférieure ou égale à celle calculée en application de la disposition 97, la somme calculée en application de la présente disposition est réputée nulle. Si la somme calculée en application de la disposition 121 est supérieure à celle calculée en application de la disposition 97, calculer une somme de la manière suivante :
  - i. Calculer le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé en application du paragraphe 56 (1) ou d'une disposition qu'il remplace, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
  - ii. Calculer le nombre de nouvelles places à l'élémentaire nécessaires au titre du redressement des immobilisations en 2005, indiqué à la colonne 2 du tableau 18 en regard du nom du conseil, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.



- iii. Additionner les nombres obtenus en application des sous-dispositions i et ii.
- iv. Multiplier le nombre obtenu en application de la sous-disposition iii par la superficie repère requise par élève de 9,7 mètres carrés.
- v. Multiplier le nombre obtenu en application de la sous-disposition iv par le coût repère de construction de 120,77 \$ le mètre carré.
- vi. Multiplier la somme calculée en application de la sous-disposition v par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
- vii. Calculer le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé en application du paragraphe 56 (3) ou d'une disposition qu'il remplace, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- viii. Calculer le nombre de nouvelles places au secondaire nécessaires au titre du redressement des immobilisations en 2005, indiqué à la colonne 3 du tableau 18 en regard du nom du conseil, à l'exception de celles qui ont été aménagées le 31 mars 2006, de celles qui sont en cours d'aménagement à cette date ou de celles pour lesquelles le conseil a attribué un contrat de construction au plus tard à la même date.
- ix. Additionner les nombres obtenus en application des sous-dispositions vii et viii.
- x. Multiplier le nombre obtenu en application de la sous-disposition ix par la superficie repère requise par élève de 12,07 mètres carrés.
- xi. Multiplier le nombre obtenu en application de la sous-disposition x par le coût repère de construction de 131,75 \$ le mètre carré.
- xii. Multiplier la somme calculée en application de la sous-disposition xi par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
- xiii. Additionner les sommes calculées en application des sous-dispositions vi et xii.
- 123. Soustraire la somme calculée en application de la disposition 122 de celle calculée en application de la disposition 97.
- 124. Soustraire la somme obtenue en application de la disposition 123 de celle calculée en application de la disposition 121. Si la différence est négative, la somme calculée en application de la présente disposition est réputée nulle.
- 125. Soustraire la somme calculée en application de la disposition 117 du paragraphe 44 (1) du règlement sur les subventions de 2007-2008 de celle calculée en application de la disposition 116 de ce paragraphe.
- 126. Prendre la moindre des sommes calculées en application des dispositions 124 et 125.
- 127. Soustraire la somme obtenue en application de la disposition 126 de celle calculée en application de la disposition 124. Si la différence est négative, la somme calculée en application de la présente disposition est réputée nulle.
- 128. Ajouter la somme calculée en application de la disposition 109 à celle calculée en application de la disposition 127.
- (2) La somme visée à la disposition 120 du paragraphe (1) est calculée de la manière suivante :
  - 1. Prendre la moindre des sommes suivantes :
    - i. la somme calculée en application de la disposition 110.6 du paragraphe 44 (1) du règlement sur les subventions de 2007-2008,
    - ii. la somme calculée en application de la disposition 111 de ce paragraphe.
  - 2. Soustraire la somme calculée en application de la disposition 1 de celle calculée en application de la disposition 111 du paragraphe 44 (1) du règlement sur les subventions de 2007-2008.
  - 3. Calculer une somme selon la formule suivante :

$$A + (B - C) \times 0,5$$

où :

«A» représente la plus élevée des sommes suivantes :

- i. zéro,
- ii. la somme calculée en application de la disposition 2;

«B» représente le total de toutes les sommes de 100 000 \$ ou plus qui ont été virées au cours de l'exercice au fonds de réserve du produit de disposition du conseil ou à son fonds de réserve du produit de disposition des écoles dont le coût des réparations est prohibitif;



«C» représente le montant des virements du fonds de réserve du produit de disposition du conseil ou de son fonds de réserve du produit de disposition des écoles dont le coût des réparations est prohibitif qui sont autorisés par des résolutions qu'il a adoptées au cours de l'exercice 2008-2009 aux fins de l'acquisition en fief simple, avant le 31 août 2010, d'un emplacement scolaire proposé à l'égard duquel les conditions énoncées au paragraphe (3) sont respectées.

(3) Les conditions applicables au calcul de l'élément «C» au paragraphe (2) et au paiement à un conseil scolaire de district de la somme liée aux nouvelles places sont les suivantes :

1. Au plus tard le 31 mars 2009, le conseil présente un plan à l'égard de l'emplacement scolaire proposé mentionnant que, d'après l'évaluation du conseil :
  - i. toutes les places qui seront aménagées sur l'emplacement scolaire proposé le seront dans un établissement qui offrira des installations d'accueil suffisantes pour les élèves du conseil pour chacun des 10 premiers exercices pendant lesquels le conseil fait fonctionner une école sur l'emplacement après l'acquisition de celui-ci en fief simple,
  - ii. pour chaque place à l'élémentaire qui sera aménagée dans un établissement situé sur l'emplacement scolaire proposé, le conseil dispose d'une autre place à l'élémentaire située :
    - A. d'une part, dans un rayon de 8 kilomètres de l'emplacement scolaire proposé,
    - B. d'autre part, sur un emplacement scolaire qu'il loue à bail de façon continue depuis une date antérieure au 1<sup>er</sup> janvier 1999 jusqu'à la date où il fait l'acquisition du fief simple pour l'emplacement scolaire proposé,
  - iii. pour chaque place au secondaire qui sera aménagée dans un établissement situé sur l'emplacement scolaire proposé, le conseil dispose d'une autre place au secondaire située :
    - A. d'une part, dans un rayon de 32 kilomètres de l'emplacement scolaire proposé,
    - B. d'autre part, sur un emplacement scolaire qu'il loue à bail de façon continue depuis une date antérieure au 1<sup>er</sup> janvier 1999 jusqu'à la date où il fait l'acquisition du fief simple pour l'emplacement scolaire proposé,
  - iv. en moyenne, au cours des 10 premiers exercices pendant lesquels le conseil fait fonctionner une école sur l'emplacement scolaire proposé après l'acquisition de celui-ci en fief simple, au moins 80 pour cent des places aménagées dans l'établissement situé sur cet emplacement seront nécessaires pour fournir des installations d'accueil pour les élèves du conseil.
2. Le ministre approuve le plan pour le motif qu'il contient tous les renseignements visés à la disposition 1 et qu'il est raisonnable.

(4) La somme visée à la disposition 114 du paragraphe (1) est calculée de la manière suivante :

1. Calculer la dette contractée, le cas échéant, au cours des exercices 2006-2007, 2007-2008 et 2008-2009 pour l'acquisition d'un emplacement scolaire en fief simple qui fournit des places qui, immédiatement avant l'acquisition, étaient financées au moyen de baux visés à la disposition 100.1 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007 et conclus avant le 31 août 2006.
2. Calculer la dette contractée, le cas échéant, au cours des exercices 2006-2007, 2007-2008 et 2008-2009 pour l'acquisition d'un emplacement scolaire en fief simple qui fournira de nouvelles places pour remplacer des places existantes dans les cas où, immédiatement avant l'acquisition, les places remplacées étaient financées au moyen de baux visés à la disposition 100.1 du paragraphe 39 (11) du règlement sur les subventions de 2006-2007 et conclus avant le 31 août 2006.
3. Additionner les sommes calculées en application des dispositions 1 et 2.

(5) Pour l'application de la disposition 2 du paragraphe (4), une place en remplace une autre dans les cas suivants :

- a) s'il s'agit d'une place à l'élémentaire, elle est située dans un rayon de 8 kilomètres de l'emplacement scolaire qui fournissait l'autre place;
- b) s'il s'agit d'une place au secondaire, elle est située dans un rayon de 32 kilomètres de l'emplacement scolaire qui fournissait l'autre place.

**Somme liée à la baisse de l'effectif des classes du cycle primaire**

50. (1) La somme qui est versée au conseil pour l'exercice au titre des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, au sens du paragraphe (2), est calculée de la manière suivante :

1. Additionner les sommes calculées en application des dispositions 5 à 9 du paragraphe 45 (1) du règlement sur les subventions de 2007-2008.
2. Soustraire la somme calculée en application de la disposition 1 de celle calculée en application de la disposition 2 du paragraphe 45 (1) du règlement sur les subventions de 2007-2008. Une différence négative est réputée nulle.

3. Pour chaque bail pluriannuel conclu au cours de l'exercice 2008-2009 afin de fournir de nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, calculer la somme totale payable sur la durée du bail.
4. Additionner les sommes calculées en application de la disposition 3 pour tous les baux pluriannuels visés à cette disposition.
5. Prendre la moindre des sommes calculées en application des dispositions 2 et 4.
6. Calculer les frais de déplacement et de réaménagement des installations d'accueil temporaires à l'égard des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire qui sont engagés par le conseil au cours de l'exercice 2008-2009 et déclarés au plus tard le 31 août 2009, ces frais ne comprenant pas la somme calculée en application de la disposition 4 ni les sommes liées à l'aménagement initial d'installations d'accueil temporaires sur les lieux scolaires.
7. Calculer les frais des installations d'accueil temporaires qui fournissent de nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, si le conseil les a engagés au cours de l'exercice 2008-2009 et déclarés au plus tard le 31 août 2009, ces frais ne comprenant pas les sommes calculées en application des dispositions 4 et 6.
8. Calculer le coût de construction des travaux de réaménagement en vue de la prestation des programmes, au sens du paragraphe (3), qui fournissent de nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, si le conseil l'a engagé au cours de l'exercice 2008-2009 et déclaré au plus tard le 31 août 2009.
9. Calculer le coût de construction que le conseil a engagé au cours de l'exercice 2008-2009 et déclaré au plus tard le 31 août 2009 à l'égard des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire, exclusion faite de la somme calculée en application de la disposition 8.
10. Additionner les sommes calculées en application des dispositions 7, 8 et 9.
11. Soustraire le total des sommes calculées en application des dispositions 5 et 6 de la somme calculée en application de la disposition 2. Une différence négative est réputée nulle.
12. Prendre la moindre des sommes calculées en application des dispositions 10 et 11.
13. Ajouter la somme calculée en application de la disposition 12 à celle calculée en application de la disposition 13 du paragraphe 45 (1) du règlement sur les subventions de 2007-2008.
14. Soustraire la somme calculée en application de la disposition 21 du paragraphe 39 (12) du règlement sur les subventions de 2006-2007 de celle calculée en application de la disposition 13.
15. Calculer le montant du capital et des intérêts que le conseil a engagés pour l'exercice 2008-2009 au titre du financement de la somme obtenue en application de la disposition 14, de la manière suivante :
  - i. Calculer la portion de la somme obtenue en application de la disposition 14 à l'égard de laquelle le conseil est redevable d'intérêts à court terme pour l'exercice 2008-2009.
  - ii. Prendre le moindre des montants suivants :
    - A. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2008-2009 à l'égard de la portion calculée en application de la sous-disposition i,
    - B. le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la sous-disposition i si chaque emprunt avait été assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,20 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
  - iii. Calculer la portion de la somme obtenue en application de disposition 14 à l'égard de laquelle le conseil n'est pas redevable d'intérêts pour l'exercice 2008-2009.
  - iv. Calculer le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion visée à la sous-disposition iii si chaque montant la composant avait été emprunté à la date où il est retiré des réserves du conseil au taux d'intérêt annuel des acceptations bancaires de trois mois en vigueur le 2 septembre 2008.
  - v. Calculer le total du capital et des intérêts que le conseil a engagés au cours de l'exercice 2008-2009 à l'égard des fonds qu'il a empruntés auprès de l'Office ontarien de financement pour payer la somme calculée en application de la disposition 14.
  - vi. Additionner les sommes éventuelles calculées en application des sous-dispositions ii, iv et v.
16. Calculer la somme payable au cours de l'exercice 2008-2009 à l'égard de la somme calculée en application de la disposition 21 du paragraphe 39 (12) du règlement sur les subventions de 2006-2007 si cette somme est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.



17. Calculer les frais de location à bail à l'égard des nouvelles places occasionnées par la baisse de l'effectif des classes du cycle primaire qui sont payés au cours de l'exercice 2008-2009 et déclarés au plus tard le 31 août 2009.
18. Ajouter la somme calculée en application de la disposition 5 à celle calculée en application de la disposition 19 du paragraphe 45 (1) du règlement sur les subventions de 2007-2008.
19. Soustraire la somme calculée en application de la disposition 20 du paragraphe 45 (1) du règlement sur les subventions de 2007-2008 de celle calculée en application de la disposition 18. Une différence négative est réputée nulle.
20. Prendre la moindre des sommes calculées en application des dispositions 17 et 19.
21. Soustraire la somme calculée en application de la disposition 5 de celle calculée en application de la disposition 2. Une différence négative est réputée nulle.
22. Prendre la moindre des sommes calculées en application des dispositions 6 et 21.
23. Additionner les sommes calculées en application des dispositions 15, 16, 20 et 22.

(2) Pour l'application du paragraphe (1), les nouvelles places ne doivent être occasionnées que par la seule baisse de l'effectif des classes du cycle primaire en raison du changement des charges établies en application du paragraphe 37 (16) du règlement sur les subventions de 2004-2005 et du paragraphe 36 (16) du règlement sur les subventions de 2005-2006.

(3) Pour l'application du paragraphe (1), on entend par réaménagement en vue de la prestation des programmes les travaux de construction effectués au sein d'une école pour transformer une aire d'enseignement de façon :

- a) soit à pouvoir lui affecter, une fois les travaux terminés, une charge supérieure en application de la disposition 2 du paragraphe 56 (6), sans agrandir les dimensions extérieures de l'école;
- b) soit à pouvoir lui affecter, une fois les travaux terminés, une charge inférieure en application de la disposition 2 du paragraphe 56 (6), mais uniquement parce qu'il s'agit de transformer en aire d'enseignement classée comme salles de classe destinées aux élèves du jardin d'enfants ou de la maternelle une aire d'enseignement d'une autre catégorie.

#### Somme liée aux écoles des quartiers à forte croissance

51. (1) La somme qui est versée au conseil pour l'exercice au titre des écoles des quartiers à forte croissance est calculée de la manière suivante :

1. Additionner les frais que le conseil a engagés avant le 31 août 2009 afin d'aménager les nouvelles places à l'élémentaire et au secondaire qui sont précisées dans les plans présentés en application des dispositions suivantes :
  - i. le paragraphe 39 (15) du règlement sur les subventions de 2006-2007,
  - ii. le paragraphe 46 (3) du règlement sur les subventions de 2007-2008,
  - iii. le paragraphe (3).
2. Prendre la moindre des sommes suivantes :
  - i. la somme calculée en application de la disposition 1,
  - ii. le total de ce qui suit :
    - A. la somme calculée en application du paragraphe 39 (14.1) du règlement sur les subventions de 2006-2007,
    - B. la somme calculée en application du paragraphe 46 (2) du règlement sur les subventions de 2007-2008,
    - C. la somme calculée en application du paragraphe (2).
3. Prendre la moindre de la somme calculée en application de la disposition 2 et de celle indiquée à la colonne 2 du tableau 19 en regard du nom du conseil.
4. Calculer la portion de la somme obtenue en application de la disposition 3 à l'égard de laquelle le conseil est redevable d'intérêts à court terme pour l'exercice 2008-2009.
5. Prendre le moindre des montants suivants :
  - i. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2008-2009 à l'égard de la portion calculée en application de la disposition 4,
  - ii. le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 4 si chaque emprunt avait été assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,20 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
6. Calculer la portion de la somme obtenue en application de la disposition 3 à l'égard de laquelle le conseil n'est pas redevable d'intérêts pour l'exercice 2008-2009.



7. Calculer le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 6 si chaque montant la composant avait été emprunté à la date où il est retiré des réserves du conseil au taux d'intérêt annuel des acceptations bancaires de trois mois en vigueur le 2 septembre 2008.
8. Calculer le total du capital et des intérêts que le conseil a engagés au cours de l'exercice 2008-2009 à l'égard des fonds qu'il a empruntés auprès de l'Office ontarien de financement pour payer la somme calculée en application de la disposition 3.
9. Additionner les sommes calculées en application des dispositions 5, 7 et 8.

(2) La somme qui est versée pour l'application de la sous-disposition 2 ii du paragraphe (1) est calculée de la manière suivante :

1. Calculer le nombre de nouvelles places à l'élémentaire qui est précisé dans le plan présenté en application du paragraphe (3).
2. Multiplier le nombre obtenu en application de la disposition 1 par la superficie repère requise par élève de 9,7 mètres carrés.
3. Multiplier le produit obtenu en application de la disposition 2 par le coût repère de construction de nouvelles écoles non amorti de 1 660,25 \$ le mètre carré.
4. Multiplier la somme calculée en application de la disposition 3 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
5. Calculer le nombre de nouvelles places au secondaire qui est précisé dans le plan présenté en application du paragraphe (3).
6. Multiplier le nombre obtenu en application de la disposition 5 par la superficie repère requise par élève de 12,07 mètres carrés.
7. Multiplier le produit obtenu en application de la disposition 6 par le coût repère de construction de nouvelles écoles non amorti de 1 811,20 \$ le mètre carré.
8. Multiplier la somme calculée en application de la disposition 7 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
9. Additionner les sommes calculées en application des dispositions 4 et 8.

(3) Le versement, à un conseil scolaire de district, de toute portion de la somme liée aux écoles des quartiers à forte croissance qui se rapporte à des frais engagés au cours de l'exercice 2008-2009 est assujéti au respect des obligations suivantes :

1. Le conseil présente un plan dans lequel il décrit ce qui suit :
  - i. Le nombre éventuel de nouvelles places à l'élémentaire et au secondaire qu'il prévoit aménager pour ses élèves du 1<sup>er</sup> septembre 2008 au 31 août 2009.
  - ii. Le nombre éventuel de nouvelles places à l'élémentaire et au secondaire qu'il prévoit aménager pour ses élèves du 1<sup>er</sup> septembre 2009 au 31 août 2010.
  - iii. Le nombre éventuel de nouvelles places à l'élémentaire et au secondaire qu'il prévoit aménager pour ses élèves du 1<sup>er</sup> septembre 2010 au 31 août 2011.
  - iv. Le nombre éventuel de nouvelles places à l'élémentaire et au secondaire qu'il prévoit aménager pour ses élèves du 1<sup>er</sup> septembre 2011 au 31 août 2012.
  - v. Les territoires dans lesquels se trouveront les places visées aux sous-dispositions i à iv.
  - vi. L'évaluation du conseil montrant que, dans chaque territoire visé à la sous-disposition v, après avoir fourni les autres types d'installations d'accueil énoncés au paragraphe (4) au plus grand nombre possible d'élèves de l'élémentaire ou du secondaire, selon le cas, au cours des 10 exercices consécutifs commençant à compter de l'exercice visé à la sous-sous-disposition A, B, C ou D, le conseil devra toujours, pour être en mesure de fournir des installations d'accueil à ses élèves, utiliser au moins 80 pour cent en moyenne des nouvelles places mentionnées à la sous-disposition i, ii, iii ou iv qui sont situées sur le même emplacement scolaire :
    - A. l'exercice 2009-2010, s'il s'agit de nouvelles places mentionnées à la sous-disposition i,
    - B. l'exercice 2010-2011, s'il s'agit de nouvelles places mentionnées à la sous-disposition ii,
    - C. l'exercice 2011-2012, s'il s'agit de nouvelles places mentionnées à la sous-disposition iii,
    - D. l'exercice 2012-2013, s'il s'agit de nouvelles places mentionnées à la sous-disposition iv.

2. Le ministre approuve le plan pour le motif qu'il contient tous les renseignements visés à la disposition 1 et qu'il est raisonnable.
- (4) Pour l'application de la sous-disposition 1 vi du paragraphe (3), les autres facilités d'accueil sont les suivantes :
  - a) l'utilisation des autres places disponibles dans une école du conseil située à proximité;
  - b) la redéfinition des limites des secteurs de fréquentation des écoles élémentaires ou secondaires, selon le cas, du conseil;
  - c) la modification des programmes.

**Somme liée au redressement temporaire des immobilisations**

**52.** La somme qui est versée au conseil pour l'exercice au titre du redressement temporaire des immobilisations est calculée de la manière suivante :

1. Calculer les frais que le conseil a engagés avant le 31 août 2009 afin d'aménager les nouvelles places à l'élémentaire et au secondaire indiquées aux colonnes 4 et 5 du tableau 21 dans les municipalités ou anciennes municipalités indiquées à la colonne 2 du tableau en regard du nom du conseil.
2. Prendre le moindre de ce qui suit :
  - i. la somme calculée en application de la disposition 1,
  - ii. le total des sommes indiquées à la colonne 6 du tableau 21 en regard du nom du conseil.
3. Calculer la portion de la somme obtenue en application de la disposition 2 à l'égard de laquelle le conseil est redevable d'intérêts à court terme pour l'exercice 2008-2009.
4. Prendre le moindre des montants suivants :
  - i. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2008-2009 à l'égard de la portion calculée en application de la disposition 3,
  - ii. le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 3 si chaque emprunt avait été assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,20 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
5. Calculer la portion de la somme obtenue en application de la disposition 2 à l'égard de laquelle le conseil n'est pas redevable d'intérêts pour l'exercice 2008-2009.
6. Calculer le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 5 si chaque montant la composant avait été emprunté à la date où il est retiré des réserves du conseil au taux d'intérêt annuel des acceptations bancaires de trois mois en vigueur le 2 septembre 2008.
7. Calculer le total du capital et des intérêts que le conseil a engagés au cours de l'exercice 2008-2009 à l'égard des fonds qu'il a empruntés auprès de l'Office ontarien de financement pour payer les sommes visées à la disposition 2.
8. Additionner les sommes éventuelles calculées en application des dispositions 4, 6 et 7.

**Somme liée au remplacement des écoles dont le coût des réparations est prohibitif**

**53.** La somme qui est versée au conseil pour l'exercice au titre du remplacement des écoles dont le coût des réparations est prohibitif est calculée de la manière suivante :

1. Calculer la portion du coût de remplacement des écoles du conseil dont le coût des réparations est prohibitif, indiquées aux colonnes 3 et 4 du tableau 23 en regard du nom du conseil, que celui-ci a engagée entre le 1<sup>er</sup> avril 2006 et le 31 août 2009.
2. Prendre le moindre de ce qui suit :
  - i. la somme calculée en application de la disposition 1,
  - ii. la somme indiquée à la colonne 6 du tableau 23 en regard du nom du conseil.
3. Calculer la portion de la somme obtenue en application de la disposition 2 à l'égard de laquelle le conseil est redevable d'intérêts à court terme pour l'exercice 2008-2009.
4. Prendre le moindre des montants suivants :
  - i. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2008-2009 à l'égard de la portion calculée en application de la disposition 3,



- ii. le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 3 si chaque emprunt avait été assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,20 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
- 5. Calculer la portion de la somme obtenue en application de la disposition 2 à l'égard de laquelle le conseil n'est pas redevable d'intérêts pour l'exercice 2008-2009.
- 6. Calculer le montant des intérêts à court terme dont le conseil serait redevable, pour l'exercice 2008-2009, à l'égard de la portion calculée en application de la disposition 5 si chaque montant la composant avait été emprunté à la date où il est retiré des réserves du conseil au taux d'intérêt annuel des acceptations bancaires de trois mois en vigueur le 2 septembre 2008.
- 7. Calculer le total du capital et des intérêts que le conseil a engagés au cours de l'exercice 2008-2009 à l'égard des fonds qu'il a empruntés auprès de l'Office ontarien de financement pour payer les sommes visées à la disposition 2.
- 8. Additionner les sommes éventuelles calculées en application des dispositions 4, 6 et 7.

**Somme liée à la construction des installations visées aux al. 234 (1) b) et c) de la Loi**

**54.** La somme qui est versée au conseil pour l'exercice au titre de la construction des installations visées aux alinéas 234 (1) b) et c) de la Loi est calculée de la manière suivante :

- 1. Calculer le coût de construction, déclaré au plus tard le 31 août 2009, des installations visées aux alinéas 234 (1) b) et c) de la Loi lorsque, selon le cas :
  - i. la construction des installations est achevée entre le 1<sup>er</sup> septembre 2005 et le 31 août 2009,
  - ii. les installations sont en cours de construction pendant cette période,
  - iii. un contrat de construction des installations a été attribué pendant cette période.
- 2. Calculer la somme payable au cours de l'exercice 2008-2009 si la somme calculée en application de la disposition 1 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
- 3. Prendre le nombre de places en garderie qui remplissent les conditions suivantes :
  - i. elles se trouvent dans des écoles du conseil qui fournissent des installations d'accueil pour les élèves pour la première fois le 1<sup>er</sup> septembre 2006 ou après cette date,
  - ii. le ministre confirme qu'une municipalité ou un conseil d'administration de district des services sociaux créé en vertu de l'article 3 de la *Loi sur les conseils d'administration de district des services sociaux* les a approuvées comme faisant partie des installations visées à l'alinéa 234 (1) b) ou c) de la *Loi sur l'éducation*.
- 4. Multiplier le nombre obtenu en application de la disposition 3 par la superficie repère requise par enfant de 9,7 mètres carrés.
- 5. Multiplier le nombre calculé en application de la disposition 4 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
- 6. Multiplier la somme calculée en application de la disposition 5 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 16 en regard du nom du conseil.
- 7. Multiplier par 1,4 la somme calculée en application de la disposition 6.
- 8. Prendre la moindre des sommes calculées en application des dispositions 2 et 7.

**Somme liée aux engagements d'immobilisations non réalisés**

**55.** La somme liée aux engagements d'immobilisations non réalisés qui est versée au conseil pour l'exercice est calculée de la manière suivante :

- 1. Prendre le nombre de places à l'élémentaire qui figure à la colonne 2 du tableau 24, en regard du nom du conseil.
- 2. Multiplier le nombre obtenu en application de la disposition 1 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
- 3. Multiplier le produit obtenu en application de la disposition 2 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
- 4. Prendre le nombre de places au secondaire qui figure à la colonne 3 du tableau 24, en regard du nom du conseil.
- 5. Multiplier le nombre obtenu en application de la disposition 4 par la superficie repère requise par élève de 12,07 mètres carrés.
- 6. Multiplier le produit obtenu en application de la disposition 5 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 129,17 \$ le mètre carré.



## 7. Additionner les produits obtenus en application des dispositions 3 et 6.

**Calculs au titre des installations d'accueil pour les élèves**

56. (1) Le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire est calculé en additionnant les nombres obtenus en application du paragraphe (2) pour chaque école élémentaire du conseil à l'égard de laquelle les conditions des dispositions suivantes sont réunies :

1. L'effectif de 2007-2008 de l'école a dépassé d'au moins 100 le total de ce qui suit :
  - i. la capacité d'accueil déclarée pour 2007-2008 de l'école,
  - ii. le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif à l'élémentaire pour l'école, calculé en application du paragraphe 51 (2) du règlement sur les subventions de 2007-2008.
2. L'effectif de 2006-2007 de l'école a dépassé d'au moins 100 le total de ce qui suit :
  - i. la capacité d'accueil déclarée pour 2006-2007 de l'école,
  - ii. le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif à l'élémentaire pour l'école, calculé en application du paragraphe 39 (18) du règlement sur les subventions de 2006-2007.
3. Le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif à l'élémentaire qui serait calculé pour l'école en application du paragraphe (2) dépasse celui calculé selon la formule suivante :

$$A - B$$

où :

«A» représente la capacité d'accueil déclarée pour 2007-2008 totale de toutes les autres écoles élémentaires du conseil qui sont situées à huit kilomètres par route au plus de l'école et le total de tous les nombres calculés en application du paragraphe 51 (2) du règlement sur les subventions de 2007-2008 à l'égard de ces autres écoles,

«B» représente l'effectif total de 2007-2008 des autres écoles visées à l'élément «A».

4. L'école ne figure pas au tableau 22 ou 23.

(2) Le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire pour chaque école élémentaire correspond à la moyenne des chiffres suivants :

- a) l'excédent de l'effectif de 2007-2008 de l'école sur le total de ce qui suit :
  - (i) la capacité d'accueil déclarée pour 2007-2008 de l'école,
  - (ii) le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif à l'élémentaire pour l'école, calculé en application du paragraphe 51 (2) du règlement sur les subventions de 2007-2008;
- b) l'excédent de l'effectif de 2006-2007 de l'école sur le total de ce qui suit :
  - (i) la capacité d'accueil déclarée pour 2006-2007 de l'école,
  - (ii) le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif à l'élémentaire pour l'école, calculé en application du paragraphe 39 (18) du règlement sur les subventions de 2006-2007.

(3) Le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire est calculé en additionnant les nombres obtenus en application du paragraphe (4) pour chaque école secondaire du conseil à l'égard de laquelle les conditions des dispositions suivantes sont réunies :

1. L'effectif de 2007-2008 de l'école a dépassé d'au moins 100 le total de ce qui suit :
  - i. la capacité d'accueil déclarée pour 2007-2008 de l'école,
  - ii. le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif au secondaire pour l'école, calculé en application du paragraphe 51 (4) du règlement sur les subventions de 2007-2008.
2. L'effectif de 2006-2007 de l'école a dépassé d'au moins 100 le total de ce qui suit :
  - i. la capacité d'accueil déclarée pour 2006-2007 de l'école,
  - ii. le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif au secondaire pour l'école, calculé en application du paragraphe 39 (20) du règlement sur les subventions de 2006-2007.
3. Le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif au secondaire qui serait calculé pour l'école en application du paragraphe (4) dépasse celui calculé selon la formule suivante :

$$A - B$$

où :

«A» représente la capacité d'accueil déclarée pour 2007-2008 totale de toutes les autres écoles secondaires du conseil qui sont situées à 32 kilomètres par route au plus de l'école et le total de tous les nombres calculés en application du paragraphe 51 (4) du règlement sur les subventions de 2007-2008 à l'égard de ces autres écoles,

«B» représente l'effectif total de 2007-2008 des autres écoles visées à l'élément «A».

4. L'école ne figure pas au tableau 22 ou 23.

(4) Le nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire pour chaque école secondaire correspond à la moyenne des chiffres suivants :

a) l'excédent de l'effectif de 2007-2008 de l'école sur le total de ce qui suit :

(i) la capacité d'accueil déclarée pour 2007-2008 de l'école,

(ii) le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif au secondaire pour l'école, calculé en application du paragraphe 51 (4) du règlement sur les subventions de 2007-2008;

b) l'excédent de l'effectif de 2006-2007 de l'école sur le total de ce qui suit :

(i) la capacité d'accueil déclarée pour 2006-2007 de l'école,

(ii) le nombre de nouvelles places dont le conseil a eu besoin par suite de l'augmentation de l'effectif au secondaire pour l'école, calculé en application du paragraphe 39 (20) du règlement sur les subventions de 2006-2007.

(5) Pour l'application de la disposition 78 du paragraphe 49 (1), la capacité d'accueil au secondaire du conseil est la capacité d'accueil au secondaire calculée pour le conseil en application du règlement sur les subventions de 2007-2008, sous réserve des redressements indiqués aux paragraphes (9), (12), (17), (20), (23), (25), (26) et (30) du présent article.

(6) Le ministre établit les charges et les catégories d'aires d'enseignement de la manière suivante :

1. Le ministre désigne des catégories d'aires d'enseignement pour toutes les installations élémentaires et les installations secondaires du conseil. Lorsqu'il désigne ces catégories, il se sert des catégories figurant dans le rapport du Comité d'étude des subventions pour les installations destinées aux élèves, que l'on peut consulter de la manière indiquée au paragraphe 3 (7). Si le rapport ne mentionne pas de catégorie appropriée pour une aire d'enseignement, le ministre désigne alors une catégorie pour cette aire d'une manière qui est compatible avec les classes établies dans le rapport.

2. Le ministre affecte une charge à chaque catégorie d'aires d'enseignement qu'il désigne en application de la disposition 1, en fonction du nombre d'élèves qu'il est raisonnablement possible d'accueillir dans chacune d'elles. Lorsqu'il calcule ce nombre, il tient compte des caractéristiques physiques de la catégorie d'aire d'enseignement et de l'effectif des classes exigé en application de la Loi.

(7) Le paragraphe (8) ou (9) s'applique à l'égard d'un établissement élémentaire ou secondaire d'un conseil si, au plus tôt le 1<sup>er</sup> janvier 2004 mais avant le 17 février 2005, le conseil a présenté, en vertu du Règlement de l'Ontario 444/98 (Aliénation de biens immeubles excédentaires) pris en application de la Loi, une proposition d'aliénation de l'établissement, sans contrepartie, en faveur de la Société immobilière de l'Ontario ou d'un conseil.

(8) Le nombre visé à la sous-disposition 30 i du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.

2. Additionner les nombres obtenus en application de la disposition 1 pour les établissements élémentaires du conseil.

(9) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.

2. Additionner les nombres obtenus en application de la disposition 1 pour les établissements secondaires du conseil.

3. Soustraire le total obtenu en application de la disposition 2 de la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(10) Le paragraphe (11) ou (12) s'applique à l'égard d'un établissement élémentaire ou secondaire du conseil si :

a) d'une part, le conseil en fait l'acquisition par suite d'une proposition d'aliénation de l'établissement, sans contrepartie, présentée par un autre conseil, au plus tôt le 1<sup>er</sup> janvier 2004 mais avant le 17 février 2005, en vertu du Règlement de l'Ontario 444/98;



b) d'autre part, les paragraphes (16) et (17) ne s'appliquent pas à l'établissement.

(11) Le nombre visé à la sous-disposition 32 ii du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Additionner les nombres obtenus en application de la disposition 1 pour les établissements élémentaires du conseil.

(12) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Additionner les nombres obtenus en application de la disposition 1 pour les établissements secondaires du conseil.
3. Additionner le total obtenu en application de la disposition 2 et la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(13) Le paragraphe (16) ou (17) s'applique à l'égard d'un établissement élémentaire ou secondaire du conseil si les conditions suivantes sont réunies :

1. Le conseil en fait l'acquisition par suite d'une proposition d'aliénation de l'établissement, sans contrepartie, présentée par un autre conseil, au plus tôt le 1<sup>er</sup> janvier 2004 mais avant le 17 février 2005, en vertu du Règlement de l'Ontario 444/98.
2. Au plus tard 30 jours après avoir offert d'acquérir l'établissement sans contrepartie, le conseil en avise le ministre par écrit et lui fournit les renseignements et documents qu'il exige pour s'assurer que l'acquisition de l'établissement réunit les conditions suivantes :
  - i. elle est conforme aux projets à long terme du conseil en matière d'installations d'accueil,
  - ii. elle profiterait aux élèves du conseil,
  - iii. elle entraînerait une utilisation plus efficace des biens publics,
  - iv. elle réduirait le besoin du conseil en matière de construction de nouvelles installations scolaires.

(14) Le paragraphe (16) s'applique à l'égard d'une école élémentaire du conseil si l'école fournit des installations d'accueil pour élèves de l'élémentaire au cours de l'exercice et qu'elle est située dans une municipalité ou ancienne municipalité indiquée à la colonne 2 du tableau 20 en regard du nom du conseil à la colonne 1 de ce tableau, et en regard d'un nombre supérieur à zéro à la colonne 4 du même tableau.

(15) Le paragraphe (17) s'applique à l'égard d'une école secondaire du conseil si l'école fournit des installations d'accueil pour élèves du secondaire au cours de l'exercice et qu'elle est située dans une municipalité ou ancienne municipalité indiquée à la colonne 2 du tableau 20 en regard du nom du conseil à la colonne 1 de ce tableau, et en regard d'un nombre supérieur à zéro à la colonne 5 du même tableau.

(16) Le nombre visé à la sous-disposition 32 iii du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque école élémentaire à laquelle s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'école, classées en application de ce dernier paragraphe.
2. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits à cette école.
3. Prendre le moindre du nombre obtenu pour l'école en application de la disposition 1 et de celui calculé pour l'école en application de la disposition 2.
4. Additionner les nombres obtenus en application de la disposition 3 pour chaque école élémentaire à laquelle s'applique le présent paragraphe.

(17) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque école secondaire à laquelle s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'école, classées en application de ce dernier paragraphe.
2. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits à cette école.
3. Prendre le moindre du nombre obtenu pour l'école en application de la disposition 1 et de celui calculé pour l'école en application de la disposition 2.



4. Additionner les nombres obtenus en application de la disposition 3 pour chaque école secondaire à laquelle s'applique le présent paragraphe.
5. Additionner le total obtenu en application de la disposition 4 et la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(18) Le paragraphe (19) ou (20) s'applique à l'égard d'un établissement élémentaire ou secondaire d'un conseil si les conditions suivantes sont réunies :

- a) au cours de l'année civile 2007, le conseil s'est entendu avec un autre conseil pour aliéner l'établissement élémentaire ou secondaire en faveur de l'autre conseil, à condition que ce dernier lui transfère un de ses établissements élémentaires ou secondaires;
- b) avant la conclusion de l'entente visée à l'alinéa a), le ministre a indiqué par écrit qu'à son avis le transfert prévu par l'entente :
  - (i) était conforme aux projets à long terme des deux conseils en matière d'installations d'accueil,
  - (ii) profiterait aux élèves des deux conseils,
  - (iii) entraînerait une utilisation plus efficace des biens publics,
  - (iv) réduirait le besoin des deux conseils en matière de construction de nouvelles installations scolaires.

(19) Le nombre visé à la sous-disposition 30 ii du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Additionner les résultats obtenus en application de la disposition 1 pour tous les établissements élémentaires du conseil.

(20) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire du conseil auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Additionner les résultats obtenus en application de la disposition 1 pour tous les établissements secondaires du conseil.
3. Soustraire le total calculé en application de la disposition 2 de la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(21) Le paragraphe (22) ou (23) s'applique à l'égard d'un établissement élémentaire ou secondaire d'un conseil qui est acquis dans les circonstances mentionnées au paragraphe (18).

(22) Le nombre visé à la sous-disposition 30 iii du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire du conseil acquis dans les circonstances mentionnées au paragraphe (18), appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Calculer l'effectif de 2008-2009 éventuel de l'établissement.
3. Soustraire le résultat obtenu en application de la disposition 2 de celui obtenu en application de la disposition 1. Une différence négative est réputée nulle.

(23) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire du conseil acquis dans les circonstances mentionnées au paragraphe (18), appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Calculer l'effectif de 2008-2009 éventuel de l'établissement.
3. Soustraire le résultat obtenu en application de la disposition 2 de celui obtenu en application de la disposition 1. Une différence négative est réputée nulle.
4. Additionner les résultats obtenus en application de la disposition 3 pour tous les établissements secondaires du conseil.
5. Soustraire le total calculé en application de la disposition 4 de la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(24) Si le conseil a acquis un établissement élémentaire après le 31 décembre 1998, mais avant le début de l'exercice, dans les circonstances mentionnées au paragraphe (18), le nombre visé à la sous-disposition 32 iv du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire acquis, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application du même paragraphe.
2. Calculer l'effectif de 2008-2009 éventuel de l'établissement.
3. Soustraire la somme obtenue en application de la disposition 2 de celle obtenue en application de la disposition 1. Une différence négative est réputée nulle.
4. Additionner les sommes obtenues en application de la disposition 3 pour chaque établissement élémentaire acquis.
5. Soustraire la somme obtenue en application de la disposition 4 du total de celles obtenues pour le conseil en application des dispositions comparables au présent paragraphe qui figurent dans les règlements pris en application de l'article 234 de la Loi à l'égard des subventions payables aux conseils pour des exercices antérieurs.

(25) Si le conseil a acquis un établissement secondaire après le 31 décembre 1998, mais avant le début de l'exercice, dans les circonstances mentionnées au paragraphe (18), sa capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire acquis, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application du même paragraphe.
2. Calculer l'effectif de 2008-2009 éventuel de l'établissement.
3. Soustraire la somme obtenue en application de la disposition 2 de celle obtenue en application de la disposition 1. Une différence négative est réputée nulle.
4. Additionner les sommes obtenues en application de la disposition 3 pour chaque établissement secondaire acquis.
5. Soustraire la somme obtenue en application de la disposition 4 du total de celles obtenues pour le conseil en application des dispositions comparables au présent paragraphe qui figurent dans les règlements pris en application de l'article 234 de la Loi à l'égard des subventions payables aux conseils pour des exercices antérieurs.
6. Additionner la différence obtenue en application de la disposition 5 et la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(26) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée en ajoutant le nombre éventuel de nouvelles places calculé en application du paragraphe (3) par suite de l'augmentation de l'effectif au secondaire.

(27) Le paragraphe (28) s'applique à l'égard d'un établissement élémentaire du conseil visé dans une disposition comparable au paragraphe (13) ou (14) dans les règlements pris en application de l'article 234 de la Loi relativement aux subventions payables aux conseils pour des exercices antérieurs.

(28) Le nombre visé à la sous-disposition 32 v du paragraphe 49 (1) est calculé de la manière suivante :

1. Pour chaque établissement élémentaire auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.
2. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits à cet établissement.
3. Soustraire la somme obtenue en application de la disposition 2 de celle obtenue pour l'établissement en application de la disposition 1. Une différence négative est réputée nulle.
4. Additionner les sommes obtenues en application de la disposition 3 pour chaque établissement élémentaire auquel s'applique le présent paragraphe.
5. Soustraire la somme obtenue en application de la disposition 4 du total de celles obtenues pour les exercices antérieurs pour le conseil en application des dispositions comparables au paragraphe (16) qui figurent dans les règlements pris en application de l'article 234 de la Loi à l'égard des subventions payables aux conseils pour des exercices antérieurs.

(29) Le paragraphe (30) s'applique à l'égard d'un établissement secondaire du conseil visé dans une disposition comparable au paragraphe (13) ou (15) dans les règlements pris en application de l'article 234 de la Loi relativement aux subventions payables aux conseils pour des exercices antérieurs.

(30) La capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5) est redressée de la manière suivante :

1. Pour chaque établissement secondaire auquel s'applique le présent paragraphe, appliquer les charges établies en application du paragraphe (6) aux aires d'enseignement de l'établissement, classées en application de ce dernier paragraphe.



2. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009, en ne comptant que les élèves inscrits à cet établissement.
3. Soustraire la somme obtenue en application de la disposition 2 de celle obtenue pour l'établissement en application de la disposition 1. Une différence négative est réputée nulle.
4. Additionner les sommes obtenues en application de la disposition 3 pour chaque établissement secondaire auquel s'applique le présent paragraphe.
5. Soustraire la somme obtenue en application de la disposition 4 du total de celles obtenues pour les exercices antérieurs pour le conseil en application des dispositions comparables au paragraphe (17) qui figurent dans les règlements pris en application de l'article 234 de la Loi à l'égard des subventions payables aux conseils pour des exercices antérieurs.
6. Additionner la différence obtenue en application de la disposition 5 et la capacité d'accueil au secondaire calculée pour le conseil en application du paragraphe (5).

(31) Pour l'application des dispositions 3 et 5 du paragraphe 32 (3), de la sous-disposition 16 ii du paragraphe 46 (1) et de la sous-disposition 14 ii de l'article 47, la capacité d'accueil d'une école élémentaire est calculée en appliquant les charges établies en application du paragraphe (6) aux aires d'enseignement de l'école, classées en application du paragraphe (6).

(32) Pour l'application des dispositions 4 et 5 du paragraphe 32 (3), de la sous-disposition 30 ii du paragraphe 46 (1) et de la sous-disposition 28 ii de l'article 47, la capacité d'accueil d'une école secondaire est calculée en appliquant les charges établies en application du paragraphe (6) aux aires d'enseignement de l'école, classées en application du paragraphe (6).

#### Élément service de la dette

57. (1) L'élément service de la dette d'un conseil scolaire de district pour l'exercice correspond au total des sommes suivantes :

- a) le montant total de principal et d'intérêts que le conseil verse au cours de l'exercice à l'égard de sa dette avec financement permanent;
- b) le montant total payable au cours de l'exercice à l'égard du financement qui découle des dispositions prises en vue de refinancer la dette sans financement permanent du conseil, y compris les paiements qui doivent être effectués au cours de l'exercice dans un compte de réserve ou un fonds d'amortissement et le montant des dépenses raisonnables.

(2) Les définitions qui suivent s'appliquent au présent article.

«dette avec financement permanent» À l'égard d'un conseil, la somme qui figure à la colonne 2 du tableau 25 en regard du nom du conseil. («permanently financed debt»)

«dette sans financement permanent» À l'égard d'un conseil, la somme qui figure à la colonne 3 du tableau 25 en regard du nom du conseil. («non-permanently financed debt»)

#### Redressement pour baisse des effectifs

58. (1) Pour l'application de l'article 13, la somme liée au redressement pour baisse des effectifs qui est versée à un conseil scolaire de district pour l'exercice correspond au total de ce qui suit :

1. Le produit obtenu en multipliant 0,25 par la somme éventuelle calculée en application du paragraphe 41 (2) du règlement sur les subventions de 2006-2007.
2. Le produit obtenu en multipliant 0,5 par la somme éventuelle calculée en application du paragraphe 53 (2) du règlement sur les subventions de 2007-2008.
3. Si l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 est inférieur à celui de 2007-2008, calculé en application de l'article 2 du Règlement de l'Ontario 150/07 (Calcul de l'effectif quotidien moyen pour l'exercice 2007-2008 des conseils scolaires) pris en application de la Loi, la somme, si elle est supérieure à zéro, calculée conformément au paragraphe (2).

(2) Pour l'application de la disposition 3 du paragraphe (1), la somme correspond à la somme calculée selon la formule suivante :

$$[(A - B) - 0,58 (A \times C)] \times D/C$$

où :

- «A» représente la somme calculée pour le conseil en application du paragraphe (3);
- «B» représente la somme calculée pour le conseil en application du paragraphe (4);
- «C» représente la somme calculée pour le conseil en application du paragraphe (5);
- «D» représente la somme calculée pour le conseil en application du paragraphe (6).



(3) La somme calculée pour un conseil en application du présent paragraphe correspond au total des sommes suivantes calculées pour le conseil pour son exercice 2007-2008 en application du règlement sur les subventions de 2007-2008 :

1. L'élément éducation de base pour les élèves pour l'exercice.
2. La somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour l'exercice.
3. Dans le cas d'un conseil scolaire de district de langue française, la somme liée aux programmes de français langue première comprise dans l'élément enseignement des langues du conseil pour l'exercice.
4. L'élément conseils ruraux et éloignés pour l'exercice.
5. Le total des sommes indiquées aux dispositions 2, 3 et 4 du paragraphe 38 (1) du règlement sur les subventions de 2007-2008.
6. Le total des sommes calculées en application des dispositions 15, 17, 22, 26, 29, 31, 36, 40 et 43 du paragraphe 41 (1) du règlement sur les subventions de 2007-2008, déduction faite de la somme calculée selon la formule suivante :

$$(A \times B) \times 9,29 \times 66,48 \$$$

où :

- «A» représente le nombre obtenu à l'égard du conseil en application de la disposition 7 du paragraphe 41 (1) du règlement sur les subventions de 2007-2008;
- «B» représente le facteur relatif à la superficie supplémentaire liée à l'éducation permanente et autres programmes que le ministre approuve pour le conseil en application du paragraphe 41 (4) du règlement sur les subventions de 2007-2008.

(4) La somme calculée pour un conseil en application du présent paragraphe correspond à la somme calculée pour son exercice 2008-2009 de la manière suivante :

1. Additionner :

- i. l'élément éducation de base pour les élèves pour l'exercice,
- ii. la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour l'exercice,
- iii. dans le cas d'un conseil scolaire de district de langue française, la somme liée aux programmes de français langue première comprise dans l'élément enseignement des langues du conseil pour l'exercice,
- iv. l'élément conseils ruraux et éloignés pour l'exercice,
- v. le total des sommes indiquées aux dispositions 2 et 4 du paragraphe 42 (1) et à la disposition 5 du paragraphe 42 (5),
- vi. le total des sommes calculées en application des dispositions 15, 17, 22, 26, 29, 31, 36, 40 et 43 du paragraphe 46 (1), déduction faite de la somme calculée selon la formule suivante :

$$(A \times B) \times 9,29 \times 67,41 \$$$

où :

- «A» représente le nombre obtenu à l'égard du conseil en application de la disposition 7 du paragraphe 46 (1);
- «B» représente le facteur relatif à la superficie supplémentaire liée à l'éducation permanente et autres programmes que le ministre approuve pour le conseil en application du paragraphe 46 (4).

2. Soustraire du total obtenu en application de la disposition 1 le produit obtenu en multipliant l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009 par la somme indiquée à la colonne 2 du tableau 26 en regard du nom du conseil à la colonne 1 de ce tableau.

(5) La somme calculée pour un conseil en application du présent paragraphe correspond à la somme calculée selon la formule suivante :

$$1 - E/F$$

où :

- «E» représente l'effectif quotidien moyen de jour des élèves du conseil pour 2008-2009;
- «F» représente l'effectif quotidien moyen de jour des élèves du conseil pour 2007-2008, calculé en application de l'article 2 du Règlement de l'Ontario 150/07;
- «E/F» est arrondi à la cinquième décimale.

(6) La somme calculée pour un conseil en application du présent paragraphe correspond à la somme calculée de la manière suivante :

1. Si la somme calculée pour le conseil en application du paragraphe (5) ne dépasse pas 0,0025, la somme calculée pour le conseil en application du présent paragraphe correspond à la somme calculée selon la formule suivante :

$$0,5 \times C$$

où :

«C» correspond à la somme calculée pour le conseil en application du paragraphe (5).

2. Si la somme calculée pour le conseil en application du paragraphe (5) est supérieure à 0,0025 mais ne dépasse pas 0,015, la somme calculée pour le conseil en application du présent paragraphe correspond à la somme calculée selon la formule suivante :

$$(C - 0,0025) + 0,00125$$

où :

«C» correspond à la somme calculée pour le conseil en application du paragraphe (5).

3. Si la somme calculée pour le conseil en application du paragraphe (5) est supérieure à 0,015, la somme calculée pour le conseil en application du présent paragraphe correspond à la somme calculée selon la formule suivante :

$$1,5 \times (C - 0,015) + 0,01375$$

où :

«C» correspond à la somme calculée pour le conseil en application du paragraphe (5).

#### Conformité

59. Chaque conseil scolaire de district est tenu de gérer son processus d'établissement des prévisions budgétaires et ses dépenses de façon conforme aux exigences des articles 60 à 62.

#### Dépenses obligatoires, éducation de l'enfance en difficulté

60. (1) Sous réserve du paragraphe (2), le conseil scolaire de district fait en sorte que la somme qu'il affecte pendant l'exercice à des mesures d'éducation de l'enfance en difficulté pour ses élèves ne soit pas inférieure à la somme liée à l'élément éducation de l'enfance en difficulté qui est versée au conseil pour l'exercice.

(2) Si la dépense nette que le conseil affecte à des mesures d'éducation de l'enfance en difficulté pour ses élèves pendant l'exercice est inférieure à la somme exigée en application du paragraphe (1), le conseil verse la différence dans son fonds de réserve pour l'éducation de l'enfance en difficulté.

(3) Pour l'application du présent article, la dépense nette qu'un conseil affecte à des mesures d'éducation de l'enfance en difficulté pendant l'exercice est calculée de la manière suivante :

1. Additionner la part de la somme visée au paragraphe 233 (1) de la Loi qui se trouve dans le fonds de réserve du conseil le 31 août 2009, immédiatement avant le virement prévu au paragraphe 233 (2) de la Loi, qui est imputable à l'éducation de l'enfance en difficulté à la dépense qu'il affecte à des mesures d'éducation de l'enfance en difficulté pour ses élèves pendant l'exercice 2008-2009.
2. Déduire les sommes suivantes de la somme calculée en application de la disposition 1 :
  - i. Les sommes éventuelles virées du fonds de réserve du conseil pour l'éducation de l'enfance en difficulté pendant l'exercice.
  - ii. Les autres sommes éventuelles virées de réserves pendant l'exercice qui sont imputées à la dépense que le conseil affecte à des mesures d'éducation de l'enfance en difficulté pour ses élèves.
  - iii. Les recettes éventuelles provenant d'autres sources que le conseil reçoit pendant l'exercice et qu'il affecte pendant cet exercice à des mesures d'éducation de l'enfance en difficulté pour ses élèves.

(4) Le présent article ne doit pas être interprété de façon à limiter la somme que le conseil peut affecter à des mesures d'éducation de l'enfance en difficulté.

#### Dépenses obligatoires, immobilisations

61. (1) Sous réserve du paragraphe (2), le conseil scolaire de district fait en sorte qu'une somme égale au total des sommes suivantes calculées pour le conseil soit affectée à l'acquisition d'immobilisations au cours de l'exercice :

1. La somme liée à la réfection des écoles, calculée en application de l'article 47.
2. La somme liée aux nouvelles places, calculée en application de l'article 49.



3. La somme liée à la construction des installations visées aux alinéas 234 (1) b) et c) de la Loi, calculée en application de l'article 54 du présent règlement.

4. La somme liée aux engagements d'immobilisations non réalisés, calculée en application de l'article 55.

(2) Le conseil verse dans son fonds de réserve pour les installations d'accueil pour les élèves la différence entre la dépense nette qu'il engage pour faire l'acquisition d'immobilisations au cours de l'exercice et le total calculé en application du paragraphe (1) si la dépense est inférieure à ce total.

(3) Pour l'application du présent article, la dépense nette qu'un conseil engage pour faire l'acquisition d'immobilisations au cours de l'exercice est calculée en déduisant les sommes suivantes de la dépense qu'il engage pour faire l'acquisition d'immobilisations au cours de cet exercice :

1. Les sommes éventuelles virées du fonds de réserve pour les installations d'accueil pour les élèves au cours de l'exercice.
2. Les sommes éventuelles virées, au cours de l'exercice, du fonds de réserve du produit de disposition ou du fonds de réserve du produit de disposition des écoles dont le coût des réparations est prohibitif et qui sont affectées au cours de cet exercice à des dépenses engagées pour faire l'acquisition d'immobilisations.
3. Les sommes éventuelles virées d'autres réserves au cours de l'exercice, autres que les fonds de réserve de redevances d'aménagement scolaires, et que le conseil a affectées au cours de cet exercice à des dépenses engagées pour faire l'acquisition d'immobilisations.
4. Les recettes éventuelles provenant d'autres sources que le conseil reçoit au cours de l'exercice et qu'il affecte au cours de cet exercice à l'acquisition d'immobilisations.

(4) Le présent article ne doit pas être interprété de façon à limiter la somme que le conseil peut affecter à l'acquisition d'immobilisations.

#### Dépenses d'administration et de gestion maximales

62. (1) Le conseil scolaire de district veille à ce que les dépenses nettes d'administration et de gestion qu'il engage au cours de l'exercice ne soient pas supérieures à son plafond fixé des dépenses d'administration et de gestion.

(2) Le plafond des dépenses d'administration et de gestion du conseil pour l'exercice correspond au total de ce qui suit :

- a) la partie de la somme liée au redressement pour baisse des effectifs qui est éventuellement versée au conseil et que ce dernier affecte au plafond des dépenses d'administration et de gestion;
- b) l'élément administration et gestion du conseil pour l'exercice.

(3) Pour l'application du présent article :

- a) constitue une dépense d'administration la dépense du conseil qui est classée comme telle dans le plan comptable uniforme du ministère;
- b) constitue une dépense de gestion la dépense du conseil qui est classée comme telle dans le plan comptable uniforme du ministère.

(4) Pour l'application du présent article, les dépenses nettes d'administration et de gestion qu'un conseil engage au cours de l'exercice sont calculées de la manière suivante :

1. Calculer le total des dépenses d'administration et des dépenses de gestion que le conseil engage au cours de l'exercice.
2. Additionner la part de la somme visée au paragraphe 233 (1) de la Loi qui se trouve dans le fonds de réserve du conseil le 31 août 2009, avant le virement prévu au paragraphe 233 (2) de la Loi, qui est imputable aux dépenses d'administration et de gestion et la somme calculée en application de la disposition 1 du présent paragraphe.
3. Déduire les sommes suivantes du total obtenu en application de la disposition 2 :
  - i. Les sommes éventuelles virées de réserves au cours de l'exercice qui sont imputées aux dépenses d'administration ou de gestion du conseil.
  - ii. Les recettes éventuelles provenant d'autres sources que le conseil reçoit au cours de l'exercice et qu'il affecte au cours de cet exercice à ses dépenses d'administration ou de gestion.

### PARTIE III

#### SUBVENTIONS EN FAVEUR DES ADMINISTRATIONS SCOLAIRES

##### Subventions en faveur des conseils isolés

63. (1) Pour l'application du présent article, constitue la dépense approuvée d'un conseil isolé la dépense que le ministre juge acceptable telle qu'elle figure dans les formules que le ministère fournit au conseil isolé aux fins du calcul de sa subvention générale de 2008-2009.



(2) Lorsqu'il fait des calculs pour l'application du paragraphe (1), le ministre applique, avec les adaptations qu'il estime indiquées pour tenir compte des caractéristiques propres aux conseils isolés, la formule de financement sur laquelle se fondent les dispositions du présent règlement qui se rapportent aux subventions en faveur des conseils scolaires de district.

(3) Pour l'application du présent article, les recettes fiscales de 2008-2009 du conseil isolé sont calculées de la manière suivante :

1. Additionner ce qui suit :

i. 38 pour cent de la somme de ce qui suit :

- A. le total des sommes remises au conseil à l'égard de l'année civile 2008 en application des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (4), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la *Loi sur l'éducation*, des articles 447.20 et 447.52 de la *Loi sur les municipalités*, tels qu'ils s'appliquent par l'effet de l'article 474 de la *Loi de 2001 sur les municipalités*, des paragraphes 364 (22) et 365.2 (16) de la *Loi de 2001 sur les municipalités*, de l'article 10 du Règlement de l'Ontario 509/98 intitulé «Tax Matters — Relief in Unorganized Territory (Section 257.2.1 of the Act)» pris en application de la Loi et du paragraphe 13 (2) du Règlement de l'Ontario 3/02 intitulé «Tax Relief in Unorganized Territory for 2001 and Subsequent Years» pris en application de la Loi,
- B. les sommes éventuelles visées au paragraphe 364 (22) de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet de l'article 257.12.3 de la *Loi sur l'éducation*, qui sont versées au conseil à l'égard de l'année civile 2008,
- C. le total de toutes les sommes éventuelles qu'une municipalité verse au conseil à l'égard de l'année civile 2008 en application des paragraphes 353 (4) et (4.1) et 366 (3) de la *Loi de 2001 sur les municipalités*,
- D. les sommes éventuelles que le conseil affecte au paiement du coût d'annulation de biens-fonds vendus pour arriérés d'impôts pendant l'année civile 2008, en application de l'article 380 de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet du paragraphe 371 (2) de cette loi,
- E. les paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2008 en vertu du paragraphe 322 (1) de la *Loi de 2001 sur les municipalités*,
- F. les subventions éventuelles versées au conseil à l'égard de l'année civile 2008 en vertu du paragraphe 302 (2) de la *Loi de 2001 sur les municipalités*,
- G. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2008 en vertu de la *Loi sur les paiements versés en remplacement d'impôts* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
- H. les sommes éventuelles versées au conseil à l'égard de l'année civile 2008 en vertu des paragraphes 9 (2) et (4) de la *Loi de 2002 sur les zones d'allégement fiscal (projets pilotes)*,

ii. 62 pour cent de la somme de ce qui suit :

- A. le total des sommes remises au conseil à l'égard de l'année civile 2009 en application des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (4), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la *Loi sur l'éducation*, des articles 447.20 et 447.52 de la *Loi sur les municipalités*, tels qu'ils s'appliquent par l'effet de l'article 474 de la *Loi de 2001 sur les municipalités*, des paragraphes 364 (22) et 365.2 (16) de la *Loi de 2001 sur les municipalités*, de l'article 10 du Règlement de l'Ontario 509/98 et du paragraphe 13 (2) du Règlement de l'Ontario 3/02,
- B. les sommes éventuelles visées au paragraphe 364 (22) de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet de l'article 257.12.3 de la *Loi sur l'éducation*, qui sont versées au conseil à l'égard de l'année civile 2009,
- C. le total de toutes les sommes éventuelles qu'une municipalité verse au conseil à l'égard de l'année civile 2009 en application des paragraphes 353 (4) et (4.1) et 366 (3) de la *Loi de 2001 sur les municipalités*,
- D. les sommes éventuelles que le conseil affecte au paiement du coût d'annulation de biens-fonds vendus pour arriérés d'impôts pendant l'année civile 2009, en application des articles 380 et 380.1 de la *Loi de 2001 sur les municipalités*, tel qu'il s'applique par l'effet du paragraphe 371 (2) de cette loi,
- E. les paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2009 en vertu du paragraphe 322 (1) de la *Loi de 2001 sur les municipalités*,
- F. les subventions éventuelles versées au conseil à l'égard de l'année civile 2009 en vertu du paragraphe 302 (2) de la *Loi de 2001 sur les municipalités*,

G. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2009 en vertu de la *Loi sur les paiements versés en remplacement d'impôts* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,

H. les sommes éventuelles versées au conseil à l'égard de l'année civile 2009 en vertu des paragraphes 9 (2) et (4) de la *Loi de 2002 sur les zones d'allègement fiscal (projets pilotes)*,

iii. le total des sommes éventuelles remises au conseil au cours de l'exercice en application du paragraphe 2 (3) du Règlement de l'Ontario 365/98 (Arriérés d'impôts scolaires d'avant 1998) pris en application de la Loi,

iv. le total des sommes éventuelles versées au conseil au cours de l'exercice en application de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98 (Arriérés d'impôts dans les secteurs annexés) pris en application de la Loi.

2. Calculer la différence entre les sommes suivantes et la déduire si la somme visée à la sous-disposition i est inférieure à celle visée à la sous-disposition ii ou l'ajouter si elle lui est supérieure :

i. La somme calculée en application de la sous-disposition 1 ii du paragraphe 58 (3) du règlement sur les subventions de 2007-2008 aux fins du calcul de la somme payable au conseil à titre de subvention générale à l'égard de l'exercice 2007-2008.

ii. La somme qui aurait été calculée en application de la sous-disposition 1 ii du paragraphe 58 (3) du règlement sur les subventions de 2007-2008 si elle avait été calculée en se fondant sur les états financiers annuels du conseil tels qu'ils ont été présentés au ministère pour l'exercice 2007-2008.

3. Si le conseil est tenu de prélever des impôts scolaires à l'égard de biens situés dans un territoire non érigé en municipalité, déduire le total des sommes calculées à l'égard du conseil en application des sous-dispositions 3 i et ii du paragraphe 58 (3) du règlement sur les subventions de 2007-2008.

4. Déduire les frais dont le conseil est redevable en application de la Loi ou de la *Loi de 1996 sur les élections municipales* et qu'il engage pendant l'exercice pour tenir l'élection de membres dans un territoire non érigé en municipalité qui est réputé une municipalité de district pour l'application de l'alinéa 257.12 (3) a) de la *Loi sur l'éducation*.

5. Déduire les sommes qu'un conseil municipal a exigées du conseil pendant l'année civile 2008 en application de l'article 353 de la *Loi de 2001 sur les municipalités*, y compris les sommes exigées en application de cet article par suite d'une loi d'intérêt privé.

6. Déduire le total des sommes que le conseil remet, paie ou porte au crédit de quelqu'un en application de l'article 257.2.1 de la Loi pendant l'exercice.

7. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2008 en application de la disposition 3 du paragraphe 7 (4) du Règlement de l'Ontario 3/02 et des paragraphes 361 (7), 364 (11), 365 (3), 365.1 (13) à (15) et 365.2 (8) de la *Loi de 2001 sur les municipalités*.

8. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2009 en application de la disposition 3 du paragraphe 7 (4) du Règlement de l'Ontario 3/02 et des paragraphes 361 (7), 364 (11), 365 (3), 365.1 (13) à (15) et 365.2 (8) de la *Loi de 2001 sur les municipalités*.

(4) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2008 en application de l'article 257.10.1 ou 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2008 en application d'une disposition de la Loi visée à la sous-disposition 1 i du paragraphe (3) du présent article.

(5) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2009 en application de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2009 en application d'une disposition de la Loi visée à la sous-disposition 1 ii du paragraphe (3) du présent article.

(6) La disposition 3 du paragraphe (3) ne doit pas être interprétée de façon à empêcher l'inclusion, dans les dépenses approuvées du conseil, des frais de perception des impôts dans un territoire non érigé en municipalité qu'il a engagés si ces frais sont supérieurs à la somme déduite en application de cette disposition.

(7) Le conseil isolé dont les dépenses approuvées sont supérieures à ses recettes fiscales de 2008-2009 reçoit une subvention égale à cet excédent.

#### Subventions en faveur des conseils créés en vertu de l'art. 68

64. (1) Le conseil créé en vertu de l'article 68 reçoit une subvention calculée de la manière suivante :

1. Prendre les dépenses du conseil pour l'exercice que le ministre juge acceptables aux fins des subventions, à l'exclusion de ce qui suit :

i. les dépenses liées au service de la dette,

ii. les dépenses liées à l'acquisition d'immobilisations,

iii. les dépenses liées à la restauration d'immobilisations détruites ou endommagées,



- iv. les provisions pour réserves pour fonds de roulement et celles pour fonds de réserve.
- 2. Déduire les recettes de l'exercice du conseil, à l'exclusion des recettes provenant de ce qui suit :
  - i. les subventions générales,
  - ii. un organisme sur le bien duquel se trouve une école du conseil,
  - iii. les remboursements de dépenses du genre visé à la sous-disposition I i, ii ou iii.
- (2) Le paragraphe (3) s'applique si, selon le cas :
  - a) un conseil créé en vertu de l'article 68 engage des dépenses pour acheter de l'équipement personnalisé, conformément au document intitulé «Le financement de l'éducation de l'enfance en difficulté : lignes directrices sur la somme liée à l'équipement personnalisé (SEP) et la somme liée à l'incidence spéciale (SIS) — 2008-09», que l'on peut consulter de la manière indiquée au paragraphe 3 (2), pour un élève d'un conseil créé en vertu de l'article 68 qui s'inscrit, pendant l'exercice, à une école qui relève d'un conseil scolaire de district ou d'un autre conseil créé en vertu de l'article 68;
  - b) une demande d'équipement personnalisé à l'égard d'un élève d'un conseil créé en vertu de l'article 68 a été approuvée et l'élève s'inscrit, pendant l'exercice 2007-2008, à une école qui relève d'un autre conseil créé en vertu de l'article 68.
- (3) L'équipement personnalisé visé au paragraphe (2) suit l'élève au nouveau conseil, sauf si ce dernier est d'avis qu'il n'est pas pratique de le déménager.

#### PARTIE IV PAIEMENTS FAITS À DES ADMINISTRATIONS RESPONSABLES

##### Définitions

65. Les définitions qui suivent s'appliquent à la présente partie.
- «établissement de la Couronne» Établissement que fait fonctionner un ministère du gouvernement du Canada, une société d'État fédérale, la Gendarmerie royale du Canada ou Énergie atomique du Canada limitée sur des biens-fonds que détient la Couronne du chef du Canada et qui ne peuvent faire l'objet d'une évaluation aux fins scolaires. S'entend en outre des réserves au sens de la *Loi sur les Indiens* (Canada). («Crown establishment»)
- «réserve» S'entend au sens de la *Loi sur les Indiens* (Canada). («reserve»)

##### Élève fréquentant l'école au Manitoba ou au Québec

66. (1) Si un élève qui réside dans un district territorial fréquente une école du Manitoba ou du Québec soutenue par des impôts locaux, le ministre peut verser à l'administration responsable de l'école la somme convenue d'un commun accord s'il est d'avis que les circonstances suivantes sont réunies :
- a) le transport quotidien de l'élève entre sa résidence et une école située en Ontario est impossible en raison de la distance ou de la topographie;
  - b) la fourniture de nourriture, de logement et de transport hebdomadaire entre sa résidence et une école située en Ontario est impossible en raison de son âge ou de son invalidité;
  - c) l'élève fréquente une école qu'il lui est raisonnable de fréquenter compte tenu de la distance ou de la topographie et de ses besoins particuliers.

(2) Le ministre tient compte de la langue d'enseignement lorsqu'il prend une décision en vertu du paragraphe (1) à l'égard d'un élève francophone.

##### Élève fréquentant une école d'une réserve

67. (1) Le présent article s'applique si l'élève qui réside dans un district territorial réunit les conditions suivantes :
- a) il ne réside pas dans le territoire de compétence d'un conseil et n'est pas résident d'un établissement de la Couronne;
  - b) il fréquente une école d'une réserve qui relève :
    - (i) soit de la Couronne du chef du Canada,
    - (ii) soit d'une bande, du conseil d'une bande ou d'une commission indienne de l'éducation que la Couronne du chef du Canada autorise à dispenser l'enseignement aux Indiens.

(2) Le ministre verse à l'administration responsable de l'école que fréquente l'élève la somme convenue d'un commun accord.

##### Sommes payables au conseil : fréquentation de l'école par les enfants indiens

68. (1) Le présent article s'applique à l'égard du conseil qui a présenté au ministre, en application de l'article 185 de la Loi, des dispositions en vue de l'admission, à une école élémentaire pour enfants indiens, d'une ou de plusieurs personnes qui remplissent les conditions d'élèves résidents du conseil.



(2) Sous réserve du paragraphe (3), le ministre verse au conseil, pour chaque personne à laquelle s'appliquent les dispositions, une somme égale à ce qu'il en coûte par élève de l'élémentaire pour l'exercice 2008-2009 à l'école où l'enfant est admis aux termes des dispositions.

(3) La somme que verse le ministre en application du paragraphe (2) ne doit pas dépasser le montant des droits que le conseil imposerait aux élèves de l'élémentaire en application de l'article 3 du règlement sur les droits de 2008-2009.

TABLE/TABLEAU 1

## HIGH NEEDS PER-PUPIL AMOUNT/SOMME LIÉE AUX BESOINS ÉLEVÉS FONDÉE SUR L'EFFECTIF

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	740.68
2.	Algonquin and Lakeshore Catholic District School Board	606.42
3.	Avon Maitland District School Board	502.87
4.	Bluewater District School Board	628.62
5.	Brant Haldimand Norfolk Catholic District School Board	386.39
6.	Bruce-Grey Catholic District School Board	612.19
7.	Catholic District School Board of Eastern Ontario	704.49
8.	Conseil de district des écoles publiques de langue française n° 59	507.29
9.	Conseil scolaire de district catholique Centre-Sud	505.26
10.	Conseil scolaire de district catholique de l'Est ontarien	786.23
11.	Conseil scolaire de district catholique des Aurores boréales	1509.80
12.	Conseil scolaire de district catholique des Grandes Rivières	499.53
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	605.22
14.	Conseil scolaire de district catholique du Nouvel-Ontario	717.33
15.	Conseil scolaire de district catholique Franco-Nord	1161.84
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	427.51
17.	Conseil scolaire de district du Centre Sud-Ouest	376.35
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1673.35
19.	Conseil scolaire de district du Nord-Est de l'Ontario	1586.50
20.	District School Board of Niagara	355.46
21.	District School Board Ontario North East	719.17
22.	Dufferin-Peel Catholic District School Board	375.13
23.	Durham Catholic District School Board	383.93
24.	Durham District School Board	521.34
25.	English-language Separate District School Board No. 38	410.92
26.	Grand Erie District School Board	521.70
27.	Greater Essex County District School Board	414.03
28.	Halton Catholic District School Board	445.58
29.	Halton District School Board	601.81
30.	Hamilton-Wentworth Catholic District School Board	522.57
31.	Hamilton-Wentworth District School Board	443.28
32.	Hastings and Prince Edward District School Board	619.22
33.	Huron Perth Catholic District School Board	359.45
34.	Huron-Superior Catholic District School Board	375.69
35.	Kawartha Pine Ridge District School Board	583.61
36.	Keewatin-Patricia District School Board	1239.85
37.	Kenora Catholic District School Board	801.22
38.	Lakehead District School Board	697.08
39.	Lambton Kent District School Board	452.78
40.	Limestone District School Board	771.86
41.	Near North District School Board	804.64
42.	Niagara Catholic District School Board	487.42
43.	Nipissing-Parry Sound Catholic District School Board	1058.34
44.	Northeastern Catholic District School Board	1128.65
45.	Northwest Catholic District School Board	417.84
46.	Ottawa-Carleton District School Board	498.00
47.	Ottawa Catholic District School Board	379.82
48.	Peel District School Board	339.58
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	693.08

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
50.	Rainbow District School Board	496.75
51.	Rainy River District School Board	1016.84
52.	Renfrew County Catholic District School Board	603.21
53.	Renfrew County District School Board	407.95
54.	Simcoe County District School Board	585.03
55.	Simcoe Muskoka Catholic District School Board	470.26
56.	St. Clair Catholic District School Board	481.01
57.	Sudbury Catholic District School Board	366.30
58.	Superior-Greenstone District School Board	642.60
59.	Superior North Catholic District School Board	1541.37
60.	Thames Valley District School Board	479.03
61.	Thunder Bay Catholic District School Board	591.46
62.	Toronto Catholic District School Board	604.59
63.	Toronto District School Board	522.93
64.	Trillium Lakelands District School Board	738.12
65.	Upper Canada District School Board	750.59
66.	Upper Grand District School Board	365.38
67.	Waterloo Catholic District School Board	485.45
68.	Waterloo Region District School Board	487.24
69.	Wellington Catholic District School Board	361.92
70.	Windsor-Essex Catholic District School Board	486.85
71.	York Catholic District School Board	504.53
72.	York Region District School Board	447.56

TABLE/TABLEAU 2  
ESL/ELD GRANT/SUBVENTION ESL/ELD

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Somme \$
1.	Algoma District School Board	12,251
2.	Algonquin and Lakeshore Catholic District School Board	39,469
3.	Avon Maitland District School Board	130,943
4.	Bluewater District School Board	89,991
5.	Brant Haldimand Norfolk Catholic District School Board	46,070
6.	Bruce-Grey Catholic District School Board	6,460
7.	Catholic District School Board of Eastern Ontario	18,040
8.	District School Board of Niagara	209,141
9.	District School Board Ontario North East	20,124
10.	Dufferin-Peel Catholic District School Board	1,744,612
11.	Durham Catholic District School Board	133,721
12.	Durham District School Board	289,528
13.	English-language Separate District School Board No. 38	244,758
14.	Grand Erie District School Board	142,656
15.	Greater Essex County District School Board	444,329
16.	Halton Catholic District School Board	167,169
17.	Halton District School Board	239,846
18.	Hamilton-Wentworth Catholic District School Board	375,914
19.	Hamilton-Wentworth District School Board	670,457
20.	Hastings and Prince Edward District School Board	39,710
21.	Huron Perth Catholic District School Board	15,940
22.	Huron-Superior Catholic District School Board	10,295
23.	Kawartha Pine Ridge District School Board	43,189
24.	Keewatin-Patricia District School Board	13,103
25.	Kenora Catholic District School Board	251
26.	Lakehead District School Board	52,823
27.	Lambton Kent District School Board	112,982
28.	Limestone District School Board	80,431
29.	Near North District School Board	14,833



Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Somme \$
30.	Niagara Catholic District School Board	101,516
31.	Nipissing-Parry Sound Catholic District School Board	5,838
32.	Northeastern Catholic District School Board	5,625
33.	Northwest Catholic District School Board	2,906
34.	Ottawa-Carleton District School Board	1,037,335
35.	Ottawa Catholic District School Board	486,435
36.	Peel District School Board	2,210,722
37.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	18,700
38.	Rainbow District School Board	26,345
39.	Rainy River District School Board	4,874
40.	Renfrew County Catholic District School Board	6,555
41.	Renfrew County District School Board	16,120
42.	Simcoe County District School Board	87,727
43.	Simcoe Muskoka Catholic District School Board	47,253
44.	St. Clair Catholic District School Board	40,256
45.	Sudbury Catholic District School Board	12,335
46.	Superior-Greenstone District School Board	829
47.	Superior North Catholic District School Board	0
48.	Thames Valley District School Board	803,250
49.	Thunder Bay Catholic District School Board	26,900
50.	Toronto Catholic District School Board	4,129,707
51.	Toronto District School Board	9,731,883
52.	Trillium Lakelands District School Board	0
53.	Upper Canada District School Board	33,865
54.	Upper Grand District School Board	285,778
55.	Waterloo Catholic District School Board	356,812
56.	Waterloo Region District School Board	884,037
57.	Wellington Catholic District School Board	56,393
58.	Windsor-Essex Catholic District School Board	303,833
59.	York Catholic District School Board	697,161
60.	York Region District School Board	1,234,284

TABLE/TABLEAU 3

ASSIMILATION FACTORS FOR ALF FUNDING/FACTEURS D'ASSIMILATION POUR LE FINANCEMENT DES  
PROGRAMMES D'ALF

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Assimilation Factor/Facteur d'assimilation %
1.	Conseil de district des écoles publiques de langue française n° 59	76
2.	Conseil scolaire de district catholique Centre-Sud	97
3.	Conseil scolaire de district catholique de l'Est ontarien	75
4.	Conseil scolaire de district catholique des Aurores boréales	88
5.	Conseil scolaire de district catholique des Grandes Rivières	75
6.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	84
7.	Conseil scolaire de district catholique du Nouvel-Ontario	75
8.	Conseil scolaire de district catholique Franco-Nord	75
9.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	97
10.	Conseil scolaire de district du Centre Sud-Ouest	97
11.	Conseil scolaire de district du Grand Nord de l'Ontario	75
12.	Conseil scolaire de district du Nord-Est de l'Ontario	75



TABLE/TABLEAU 4  
 DEMOGRAPHIC COMPONENT OF FIRST NATION, MÉTIS AND INUIT EDUCATION  
 SUPPLEMENT/COMPOSANTE DÉMOGRAPHIQUE DU SUPPLÉMENT POUR L'ÉDUCATION DES PREMIÈRES  
 NATIONS, DES MÉTIS ET DES INUITS

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Estimated percentage of First Nation, Métis and Inuit Student Population/ Pourcentage estimatif d'élèves qui font partie des Premières nations ou sont des Métis ou des Inuits
1.	Algoma District School Board	13.72
2.	Algonquin and Lakeshore Catholic District School Board	5.95
3.	Avon Maitland District School Board	2.08
4.	Bluewater District School Board	4.24
5.	Brant Haldimand Norfolk Catholic District School Board	5.13
6.	Bruce-Grey Catholic District School Board	3.23
7.	Catholic District School Board of Eastern Ontario	5.72
8.	Conseil de district des écoles publiques de langue française n° 59	4.10
9.	Conseil scolaire de district catholique Centre-Sud	3.15
10.	Conseil scolaire de district catholique de l'Est ontarien	5.15
11.	Conseil scolaire de district catholique des Aurores boréales	14.26
12.	Conseil scolaire de district catholique des Grandes Rivières	8.85
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3.85
14.	Conseil scolaire de district catholique du Nouvel-Ontario	9.83
15.	Conseil scolaire de district catholique Franco-Nord	11.51
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3.86
17.	Conseil scolaire de district du Centre Sud-Ouest	3.62
18.	Conseil scolaire de district du Grand Nord de l'Ontario	9.72
19.	Conseil scolaire de district du Nord-Est de l'Ontario	10.01
20.	District School Board of Niagara	3.54
21.	District School Board Ontario North East	9.57
22.	Dufferin-Peel Catholic District School Board	1.25
23.	Durham Catholic District School Board	2.48
24.	Durham District School Board	2.84
25.	English-language Separate District School Board No. 38	3.43
26.	Grand Erie District School Board	4.94
27.	Greater Essex County District School Board	4.13
28.	Halton Catholic District School Board	1.68
29.	Halton District School Board	1.69
30.	Hamilton-Wentworth Catholic District School Board	3.23
31.	Hamilton-Wentworth District School Board	3.23
32.	Hastings and Prince Edward District School Board	6.85
33.	Huron Perth Catholic District School Board	2.12
34.	Huron-Superior Catholic District School Board	11.96
35.	Kawartha Pine Ridge District School Board	4.30
36.	Keewatin-Patricia District School Board	21.07
37.	Kenora Catholic District School Board	23.22
38.	Lakehead District School Board	12.53
39.	Lambton Kent District School Board	3.93
40.	Limestone District School Board	5.70
41.	Near North District School Board	9.49
42.	Niagara Catholic District School Board	3.79
43.	Nipissing-Parry Sound Catholic District School Board	10.09
44.	Northeastern Catholic District School Board	10.11
45.	Northwest Catholic District School Board	24.13
46.	Ottawa-Carleton District School Board	3.50
47.	Ottawa Catholic District School Board	3.50
48.	Peel District School Board	1.30

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Estimated percentage of First Nation, Métis and Inuit Student Population/ Pourcentage estimatif d'élèves qui font partie des Premières nations ou sont des Métis ou des Inuits
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	3.95
50.	Rainbow District School Board	11.78
51.	Rainy River District School Board	19.31
52.	Renfrew County Catholic District School Board	8.32
53.	Renfrew County District School Board	7.60
54.	Simcoe County District School Board	4.67
55.	Simcoe Muskoka Catholic District School Board	5.11
56.	St. Clair Catholic District School Board	4.05
57.	Sudbury Catholic District School Board	8.96
58.	Superior-Greenstone District School Board	11.19
59.	Superior North Catholic District School Board	15.15
60.	Thames Valley District School Board	3.36
61.	Thunder Bay Catholic District School Board	13.12
62.	Toronto Catholic District School Board	1.06
63.	Toronto District School Board	1.06
64.	Trillium Lakelands District School Board	5.20
65.	Upper Canada District School Board	5.88
66.	Upper Grand District School Board	2.80
67.	Waterloo Catholic District School Board	2.90
68.	Waterloo Region District School Board	2.76
69.	Wellington Catholic District School Board	2.63
70.	Windsor-Essex Catholic District School Board	4.08
71.	York Catholic District School Board	0.85
72.	York Region District School Board	1.15

TABLE/TABLEAU 5

LEARNING RESOURCES FOR DISTANT SCHOOLS ALLOCATION/ÉLÉMENT RESSOURCES D'APPRENTISSAGE  
POUR ÉCOLES ÉLOIGNÉES

Item/Point	Column/ Colonne 1 Name of Board/Nom du conseil	Column/ Colonne 2 SFIS No./N° du SIIS	Column/ Colonne 3 Elementary School/École élémentaire	Column/ Colonne 4 Secondary School/École secondaire	Column/ Colonne 5 Municipality or Locality/ Municipalité ou localité	Column/ Colonne 6 Distance/ Distance (km)	Column/ Colonne 7 Learning resources for distant schools allocation/ Ressources d'apprentissage pour écoles éloignées \$
1.	Conseil de district des écoles publiques de langue française n° 59	10394		École secondaire publique le Sommet	Hawkesbury	75.5	376,607
2.	Conseil de district des écoles publiques de langue française n° 59	10575		École s.p. Marc Garneau	Quinte West	90.7	562,658
3.	Conseil scolaire de district catholique des Aurores boréales	10740		École secondaire catholique de La Vérendrye	Thunder Bay	100	559,336

Item/Point	Column/ Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4	Column/ Colonne 5	Column/ Colonne 6	Column/ Colonne 7
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Distance/ Distance (km)	Learning resources for distant schools allocation/ Ressources d'apprentissage pour écoles éloignées \$
4.	Conseil scolaire de district catholique des Aurores boréales	10768	Immaculée- Conception, E		Ignace	68.9	100,684
5.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10658		Centre Scolaire Catholique Jeanne-Lajoie Secondaire	Pembroke	133.6	411,990
6.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10784	École Catholique Ange-Gabriel Élémentaire		Brockville	40.6	115,805
7.	Conseil scolaire de district catholique du Nouvel-Ontario	10618		École secondaire catholique Jeunesse-Nord	Blind River	97.1	550,265
8.	Conseil scolaire de district catholique du Nouvel-Ontario	10872		É.s. St-Joseph (site temporaire)	Wawa	130.5	227,326
9.	Conseil scolaire de district du Centre Sud- Ouest	10710	Carrefour des Jeunes		Brampton	21.2	51,347
10.	Conseil scolaire de district du Grand Nord de l'Ontario	10634	Villa Française des Jeunes É.p		Elliot Lake	156.7	155,527
11.	Conseil scolaire de district du Grand Nord de l'Ontario	10745	École p. l'Escalade		Wawa	195.8	133,320
12.	Huron Perth Catholic District School Board	10765	St. Mary's School		North Perth	33	118,712
13.	Superior North Catholic District School Board	10661	St. Edward Catholic School		Nipigon	19.8	46,487



TABLE/TABLEAU 6

REMOTE AND RURAL ALLOCATION, RURAL AND SMALL COMMUNITY ALLOCATION/ÉLÉMENT CONSEILS  
RURAUX ET ÉLOIGNÉS ET ÉLÉMENT COLLECTIVITÉS RURALES ET DE PETITE TAILLE

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Distance/Distance	Urban Factor/ Facteur urbain	Dispersion Distance in kilometres/ Distance, en kilomètres, liée à la dispersion	Rural and Small Communities Index/Indice des collectivités rurales et de petite taille
1.	Algoma District School Board	790 km	0.809	38.63	30.50%
2.	Algonquin and Lakeshore Catholic District School Board	277 km	0.986	24.63	28.50%
3.	Avon Maitland District School Board	< 151 km	1	16.38	78.10%
4.	Bluewater District School Board	177 km	1	21.55	78.60%
5.	Brant Haldimand Norfolk Catholic District School Board	< 151 km	1	13.91	40.40%
6.	Bruce-Grey Catholic District School Board	177 km	1	22.57	67.50%
7.	Catholic District School Board of Eastern Ontario	< 151 km	1	24.49	60.90%
8.	Conseil de district des écoles publiques de langue française n° 59	< 151 km	1	38.75	12.80%
9.	Conseil scolaire de district catholique Centre-Sud	< 151 km	1	37.27	4.20%
10.	Conseil scolaire de district catholique de l'Est ontarien	< 151 km	1	17.32	54.20%
11.	Conseil scolaire de district catholique des Aurores boréales	1745 km	0.727	207.39	46.50%
12.	Conseil scolaire de district catholique des Grandes Rivières	680 km	0.952	49.76	52.90%
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	< 151 km	1	23.39	9.70%
14.	Conseil scolaire de district catholique du Nouvel-Ontario	790 km	0.879	45.27	26.70%
15.	Conseil scolaire de district catholique Franco-Nord	332 km	0.933	23.94	57.20%
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	< 151 km	1	29.78	21.20%
17.	Conseil scolaire de district du Centre Sud- Ouest	< 151 km	1	47.17	0.80%
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1191 km	0.862	140.63	27.10%
19.	Conseil scolaire de district du Nord-Est de l'Ontario	634 km	0.939	149.2	44.70%
20.	District School Board of Niagara	< 151 km	1	6.49	13.50%
21.	District School Board Ontario North East	680 km	0.946	47.28	47.80%
22.	Dufferin-Peel Catholic District School Board	< 151 km	1	4.96	3.70%
23.	Durham Catholic District School Board	< 151 km	1	7.23	5.10%
24.	Durham District School Board	< 151 km	1	5.98	13.20%
25.	English-language Separate District School Board No. 38	< 151 km	1	11.83	11.80%
26.	Grand Erie District School Board	< 151 km	1	10.07	54.90%
27.	Greater Essex County District School Board	< 151 km	1	8.32	21.80%
28.	Halton Catholic District School Board	< 151 km	1	7.35	7.40%
29.	Halton District School Board	< 151 km	1	5.59	7.50%
30.	Hamilton-Wentworth Catholic District School Board	< 151 km	1	4.04	7.30%
31.	Hamilton-Wentworth District School Board	< 151 km	1	3.79	7.30%

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Distance/Distance	Urban Factor/ Facteur urbain	Dispersion Distance in kilometres/ Distance, en kilomètres, liée à la dispersion	Rural and Small Communities Index/Indice des collectivités rurales et de petite taille
32.	Hastings and Prince Edward District School Board	251 km	0.971	15.17	57.00%
33.	Huron Perth Catholic District School Board	< 151 km	1	19.38	58.40%
34.	Huron-Superior Catholic District School Board	790 km	0.777	48.56	19.30%
35.	Kawartha Pine Ridge District School Board	161 km	0.942	14.94	39.40%
36.	Keewatin-Patricia District School Board	1801 km	1	60.12	74.40%
37.	Kenora Catholic District School Board	1855 km	1	3.62	25.50%
38.	Lakehead District School Board	1375 km	0.549	5.77	12.80%
39.	Lambton Kent District School Board	< 151 km	1	16.28	42.50%
40.	Limestone District School Board	235 km	0.717	12.74	43.40%
41.	Near North District School Board	332 km	0.913	25.73	49.60%
42.	Niagara Catholic District School Board	< 151 km	1	8.5	9.20%
43.	Nipissing-Parry Sound Catholic District School Board	332 km	0.913	19.07	23.70%
44.	Northeastern Catholic District School Board	680 km	0.946	71.27	47.60%
45.	Northwest Catholic District School Board	1715 km	1	133.32	100.00%
46.	Ottawa-Carleton District School Board	< 151 km	1	6.11	8.00%
47.	Ottawa Catholic District School Board	< 151 km	1	6.69	8.00%
48.	Peel District School Board	< 151 km	1	4.54	4.00%
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	161 km	0.942	15.91	23.40%
50.	Rainbow District School Board	455 km	0.821	21.21	25.20%
51.	Rainy River District School Board	1630 km	1	40.15	100.00%
52.	Renfrew County Catholic District School Board	< 151 km	1	25.91	54.90%
53.	Renfrew County District School Board	< 151 km	1	21.03	70.00%
54.	Simcoe County District School Board	< 151 km	1	11.3	24.20%
55.	Simcoe Muskoka Catholic District School Board	< 151 km	1	17.09	18.50%
56.	St. Clair Catholic District School Board	< 151 km	1	20.81	34.70%
57.	Sudbury Catholic District School Board	390 km	0.78	15.88	13.80%
58.	Superior-Greenstone District School Board	1440 km	1	71.69	100.00%
59.	Superior North Catholic District School Board	1440 km	1	97.06	100.00%
60.	Thames Valley District School Board	< 151 km	1	9.39	25.50%
61.	Thunder Bay Catholic District School Board	1375 km	0.501	3.64	5.30%
62.	Toronto Catholic District School Board	< 151 km	1	4.47	0.00%
63.	Toronto District School Board	< 151 km	1	3.78	0.00%
64.	Trillium Lakelands District School Board	253 km	1	27.79	87.10%
65.	Upper Canada District School Board	< 151 km	1	22.4	73.50%
66.	Upper Grand District School Board	< 151 km	1	10.65	42.30%
67.	Waterloo Catholic District School Board	< 151 km	1	6.27	3.40%
68.	Waterloo Region District School Board	< 151 km	1	4.96	10.00%
69.	Wellington Catholic District School Board	< 151 km	1	11.37	18.00%
70.	Windsor-Essex Catholic District School Board	< 151 km	1	7.73	15.60%
71.	York Catholic District School Board	< 151 km	1	7.8	4.40%
72.	York Region District School Board	< 151 km	1	6.52	6.20%



TABLE/TABLEAU 7

## LEARNING OPPORTUNITIES ALLOCATION/ÉLÉMENT PROGRAMMES D'AIDE À L'APPRENTISSAGE

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Demographic Component Amount/Montant de l'élément démographique \$	Column/Colonne 3 Student Success, Grades 7-12, Demographic Factor/Réussite des élèves, 7 <sup>e</sup> à 12 <sup>e</sup> année, facteur démographique
1.	Algoma District School Board	2,507,768	0.0097
2.	Algonquin and Lakeshore Catholic District School Board	1,028,493	0.0028
3.	Avon Maitland District School Board	991,976	0.003
4.	Bluewater District School Board	1,333,966	0.0045
5.	Brant Haldimand Norfolk Catholic District School Board	790,348	0.0028
6.	Bruce-Grey Catholic District School Board	171,340	0.0007
7.	Catholic District School Board of Eastern Ontario	840,972	0.0025
8.	Conseil de district des écoles publiques de langue française n° 59	1,503,102	0.0059
9.	Conseil scolaire de district catholique Centre-Sud	1,473,536	0.0036
10.	Conseil scolaire de district catholique de l'Est ontarien	1,293,413	0.004
11.	Conseil scolaire de district catholique des Aurores boréales	171,220	0.0003
12.	Conseil scolaire de district catholique des Grandes Rivières	1,794,572	0.0054
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	2,470,269	0.0089
14.	Conseil scolaire de district catholique du Nouvel-Ontario	1,301,758	0.0042
15.	Conseil scolaire de district catholique Franco-Nord	631,795	0.002
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	459,120	0.0012
17.	Conseil scolaire de district du Centre Sud-Ouest	1,235,551	0.0038
18.	Conseil scolaire de district du Grand Nord de l'Ontario	204,097	0.001
19.	Conseil scolaire de district du Nord-Est de l'Ontario	198,582	0.001
20.	District School Board of Niagara	4,023,503	0.0143
21.	District School Board Ontario North East	1,365,057	0.0043
22.	Dufferin-Peel Catholic District School Board	12,308,675	0.0204
23.	Durham Catholic District School Board	834,922	0.001
24.	Durham District School Board	2,829,353	0.0087
25.	English-language Separate District School Board No. 38	3,156,231	0.0035
26.	Grand Erie District School Board	2,604,170	0.0097
27.	Greater Essex County District School Board	5,415,361	0.0151
28.	Halton Catholic District School Board	416,252	0.0008
29.	Halton District School Board	709,977	0.0008
30.	Hamilton-Wentworth Catholic District School Board	4,505,017	0.0134
31.	Hamilton-Wentworth District School Board	11,293,970	0.0419
32.	Hastings and Prince Edward District School Board	2,182,180	0.012
33.	Huron Perth Catholic District School Board	138,397	0.0004
34.	Huron-Superior Catholic District School Board	1,177,544	0.0041
35.	Kawartha Pine Ridge District School Board	2,007,486	0.0093
36.	Keewatin-Patricia District School Board	737,551	0.0028
37.	Kenora Catholic District School Board	121,129	0.0005
38.	Lakehead District School Board	1,819,863	0.0065
39.	Lambton Kent District School Board	1,480,439	0.0077
40.	Limestone District School Board	1,903,191	0.0068
41.	Near North District School Board	1,959,989	0.0071
42.	Niagara Catholic District School Board	1,729,032	0.0049
43.	Nipissing-Parry Sound Catholic District School Board	474,400	0.002
44.	Northeastern Catholic District School Board	474,004	0.0013
45.	Northwest Catholic District School Board	104,360	0.0005
46.	Ottawa-Carleton District School Board	13,185,759	0.0413
47.	Ottawa Catholic District School Board	5,901,525	0.0177
48.	Peel District School Board	17,151,015	0.0333
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	553,447	0.0018
50.	Rainbow District School Board	1,914,661	0.0084
51.	Rainy River District School Board	450,283	0.0026



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Demographic Component Amount/Montant de l'élément démographique \$	Column/Colonne 3 Student Success, Grades 7-12, Demographic Factor/Réussite des élèves, 7 <sup>e</sup> à 12 <sup>e</sup> année, facteur démographique
52.	Renfrew County Catholic District School Board	452,564	0.0024
53.	Renfrew County District School Board	706,785	0.0032
54.	Simcoe County District School Board	1,589,957	0.0084
55.	Simcoe Muskoka Catholic District School Board	443,371	0.0027
56.	St. Clair Catholic District School Board	588,312	0.0022
57.	Sudbury Catholic District School Board	961,556	0.0039
58.	Superior-Greenstone District School Board	456,264	0.0012
59.	Superior North Catholic District School Board	148,656	0.0004
60.	Thames Valley District School Board	8,619,548	0.0246
61.	Thunder Bay Catholic District School Board	873,297	0.0033
62.	Toronto Catholic District School Board	44,293,740	0.1261
63.	Toronto District School Board	120,406,701	0.3807
64.	Trillium Lakelands District School Board	745,259	0.0045
65.	Upper Canada District School Board	1,641,497	0.0065
66.	Upper Grand District School Board	1,313,778	0.003
67.	Waterloo Catholic District School Board	2,028,535	0.0041
68.	Waterloo Region District School Board	5,547,595	0.0138
69.	Wellington Catholic District School Board	393,757	0.0008
70.	Windsor-Essex Catholic District School Board	3,570,519	0.0089
71.	York Catholic District School Board	4,497,770	0.0093
72.	York Region District School Board	9,899,925	0.0182

TABLE/TABLEAU 8  
SAFE SCHOOLS ALLOCATION/ÉLÉMENT SÉCURITÉ DANS LES ÉCOLES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Weighted Per-Pupil Amount for Programs and Supports Component/Somme pondérée par élève au titre du volet programmes et soutiens \$	Column/Colonne 3 Weighted Per-Pupil Amount for Professional Staff Support Component/Somme pondérée par élève au titre du volet soutien professionnel \$
1.	Algoma District School Board	3.70	1.69
2.	Algonquin and Lakeshore Catholic District School Board	2.55	1.16
3.	Avon Maitland District School Board	1.66	0.75
4.	Bluewater District School Board	2.04	0.93
5.	Brant Haldimand Norfolk Catholic District School Board	2.32	1.06
6.	Bruce-Grey Catholic District School Board	1.94	0.88
7.	Catholic District School Board of Eastern Ontario	2.47	1.13
8.	Conseil de district des écoles publiques de langue française no 59	2.45	1.12
9.	Conseil scolaire de district catholique Centre-Sud	2.37	1.08
10.	Conseil scolaire de district catholique de l'Est ontarien	2.33	1.06
11.	Conseil scolaire de district catholique des Aurores boréales	3.60	1.64
12.	Conseil scolaire de district catholique des Grandes Rivières	2.82	1.29
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	2.39	1.09
14.	Conseil scolaire de district catholique du Nouvel-Ontario	3.04	1.39
15.	Conseil scolaire de district catholique Franco-Nord	3.37	1.54
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	2.19	1.00
17.	Conseil scolaire de district du Centre Sud-Ouest	2.83	1.29
18.	Conseil scolaire de district du Grand Nord de l'Ontario	3.02	1.38
19.	Conseil scolaire de district du Nord-Est de l'Ontario	3.09	1.41
20.	District School Board of Niagara	2.11	0.96
21.	District School Board Ontario North East	3.07	1.40

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Weighted Per-Pupil Amount for Programs and Supports Component/Somme pondérée par élève au titre du volet programmes et soutiens \$	Column/Colonne 3 Weighted Per-Pupil Amount for Professional Staff Support Component/Somme pondérée par élève au titre du volet soutien professionnel \$
22.	Dufferin-Peel Catholic District School Board	2.20	1.01
23.	Durham Catholic District School Board	1.71	0.78
24.	Durham District School Board	1.79	0.81
25.	English-language Separate District School Board No. 38	2.27	1.04
26.	Grand Erie District School Board	2.20	1.00
27.	Greater Essex County District School Board	2.54	1.16
28.	Halton Catholic District School Board	1.41	0.64
29.	Halton District School Board	1.42	0.65
30.	Hamilton-Wentworth Catholic District School Board	2.56	1.17
31.	Hamilton-Wentworth District School Board	2.56	1.17
32.	Hastings and Prince Edward District School Board	2.62	1.19
33.	Huron Perth Catholic District School Board	1.71	0.78
34.	Huron-Superior Catholic District School Board	3.46	1.58
35.	Kawartha Pine Ridge District School Board	1.98	0.90
36.	Keewatin-Patricia District School Board	4.52	2.06
37.	Kenora Catholic District School Board	4.82	2.20
38.	Lakehead District School Board	3.40	1.55
39.	Lambton Kent District School Board	2.06	0.94
40.	Limestone District School Board	2.41	1.10
41.	Near North District School Board	3.09	1.41
42.	Niagara Catholic District School Board	2.21	1.01
43.	Nipissing-Parry Sound Catholic District School Board	3.13	1.43
44.	Northeastern Catholic District School Board	3.21	1.46
45.	Northwest Catholic District School Board	5.16	2.35
46.	Ottawa-Carleton District School Board	2.35	1.07
47.	Ottawa Catholic District School Board	2.35	1.07
48.	Peel District School Board	2.19	1.00
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2.01	0.91
50.	Rainbow District School Board	3.32	1.52
51.	Rainy River District School Board	4.47	2.04
52.	Renfrew County Catholic District School Board	2.92	1.33
53.	Renfrew County District School Board	2.63	1.20
54.	Simcoe County District School Board	2.10	0.96
55.	Simcoe Muskoka Catholic District School Board	2.19	1.00
56.	St. Clair Catholic District School Board	2.11	0.96
57.	Sudbury Catholic District School Board	2.90	1.32
58.	Superior-Greenstone District School Board	2.99	1.36
59.	Superior North Catholic District School Board	3.45	1.57
60.	Thames Valley District School Board	2.18	0.99
61.	Thunder Bay Catholic District School Board	3.56	1.62
62.	Toronto Catholic District School Board	3.31	1.51
63.	Toronto District School Board	3.31	1.51
64.	Trillium Lakelands District School Board	2.12	0.97
65.	Upper Canada District School Board	2.43	1.11
66.	Upper Grand District School Board	1.72	0.78
67.	Waterloo Catholic District School Board	2.16	0.98
68.	Waterloo Region District School Board	2.07	0.94
69.	Wellington Catholic District School Board	1.82	0.83
70.	Windsor-Essex Catholic District School Board	2.51	1.14
71.	York Catholic District School Board	1.68	0.76
72.	York Region District School Board	1.81	0.83



TABLE/TABLEAU 9

## TEACHER QUALIFICATION AND EXPERIENCE/COMPÉTENCE ET EXPÉRIENCE DES ENSEIGNANTS

Full years of teaching experience/Années complètes d'expérience en enseignement	Qualification Categories/Catégories de qualification						
	D	C	B	A1/group 1 A1/groupe 1	A2/group 2 A2/groupe 2	A3/group 3 A3/groupe 3	A4/group 4 A4/groupe 4
0	0.5825	0.5825	0.5825	0.6178	0.6478	0.7034	0.7427
1	0.6185	0.6185	0.6185	0.6557	0.6882	0.7487	0.7898
2	0.6562	0.6562	0.6562	0.6958	0.7308	0.7960	0.8397
3	0.6941	0.6941	0.6941	0.7359	0.7729	0.8433	0.8897
4	0.7335	0.7335	0.7335	0.7772	0.8165	0.8916	0.9418
5	0.7725	0.7725	0.7725	0.8185	0.8600	0.9398	0.9932
6	0.8104	0.8104	0.8104	0.8599	0.9035	0.9881	1.0453
7	0.8502	0.8502	0.8502	0.9013	0.9475	1.0367	1.0973
8	0.8908	0.8908	0.8908	0.9435	0.9919	1.0856	1.1500
9	0.9315	0.9315	0.9315	0.9856	1.0356	1.1344	1.2025
10	1.0187	1.0187	1.0187	1.0438	1.0999	1.2166	1.2982

TABLE/TABLEAU 10

## COST ADJUSTMENT AMOUNT FOR NON-TEACHERS/SOMME LIÉE AU REDRESSEMENT DES COÛTS POUR LE PERSONNEL NON ENSEIGNANT

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	78,747
2.	Algonquin and Lakeshore Catholic District School Board	82,667
3.	Avon Maitland District School Board	41,535
4.	Bluewater District School Board	108,410
5.	Brant Haldimand Norfolk Catholic District School Board	44,689
6.	Bruce-Grey Catholic District School Board	8,255
7.	Catholic District School Board of Eastern Ontario	92,516
8.	Conseil de district des écoles publiques de langue française n° 59	191,014
9.	Conseil scolaire de district catholique Centre-Sud	123,290
10.	Conseil scolaire de district catholique de l'Est ontarien	85,031
11.	Conseil scolaire de district catholique des Aurores boréales	22,540
12.	Conseil scolaire de district catholique des Grandes Rivières	58,721
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	143,661
14.	Conseil scolaire de district catholique du Nouvel-Ontario	157,338
15.	Conseil scolaire de district catholique Franco-Nord	64,302
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	68,511
17.	Conseil scolaire de district du Centre Sud-Ouest	104,085
18.	Conseil scolaire de district du Grand Nord de l'Ontario	43,409
19.	Conseil scolaire de district du Nord-Est de l'Ontario	32,888
20.	District School Board of Niagara	83,203
21.	District School Board Ontario North East	98,123
22.	Dufferin-Peel Catholic District School Board	912,533
23.	Durham Catholic District School Board	91,121
24.	Durham District School Board	260,166
25.	English-language Separate District School Board No. 38	216,616
26.	Grand Erie District School Board	98,124
27.	Greater Essex County District School Board	121,337
28.	Halton Catholic District School Board	63,708
29.	Halton District School Board	138,762
30.	Hamilton-Wentworth Catholic District School Board	120,764
31.	Hamilton-Wentworth District School Board	139,006
32.	Hastings and Prince Edward District School Board	97,546
33.	Huron Perth Catholic District School Board	27,126
34.	Huron-Superior Catholic District School Board	66,370



Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
35.	Kawartha Pine Ridge District School Board	136,022
36.	Keewatin-Patricia District School Board	74,629
37.	Kenora Catholic District School Board	31,719
38.	Lakehead District School Board	292,517
39.	Lambton Kent District School Board	89,526
40.	Limestone District School Board	84,687
41.	Near North District School Board	106,206
42.	Niagara Catholic District School Board	101,914
43.	Nipissing-Parry Sound Catholic District School Board	52,037
44.	Northeastern Catholic District School Board	42,202
45.	Northwest Catholic District School Board	18,678
46.	Ottawa-Carleton District School Board	397,158
47.	Ottawa Catholic District School Board	415,610
48.	Peel District School Board	895,104
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	81,321
50.	Rainbow District School Board	121,468
51.	Rainy River District School Board	50,713
52.	Renfrew County Catholic District School Board	29,538
53.	Renfrew County District School Board	31,281
54.	Simcoe County District School Board	157,546
55.	Simcoe Muskoka Catholic District School Board	138,393
56.	St. Clair Catholic District School Board	90,809
57.	Sudbury Catholic District School Board	102,133
58.	Superior-Greenstone District School Board	57,541
59.	Superior North Catholic District School Board	12,307
60.	Thames Valley District School Board	227,471
61.	Thunder Bay Catholic District School Board	50,709
62.	Toronto Catholic District School Board	576,920
63.	Toronto District School Board	4,509,680
64.	Trillium Lakelands District School Board	64,668
65.	Upper Canada District School Board	138,484
66.	Upper Grand District School Board	194,056
67.	Waterloo Catholic District School Board	66,058
68.	Waterloo Region District School Board	238,255
69.	Wellington Catholic District School Board	25,339
70.	Windsor-Essex Catholic District School Board	234,109
71.	York Catholic District School Board	274,225
72.	York Region District School Board	520,752

TABLE/TABLEAU 11

## CHANGES TO DISTANT SCHOOLS/RAJUSTEMENTS POUR ÉCOLES ÉLOIGNÉES

Item/Point	Column/ Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4	Column/ Colonne 5
	Name of Board/Nom du conseil	Elementary Top Up Allocation for School Operations/Somme complémentaire liée au fonctionnement des écoles élémentaires \$	Secondary Top Up Allocation for School Operations/ Somme complémentaire liée au fonctionnement des écoles secondaires \$	Elementary Top Up for School Renewal/ Somme complémentaire liée à la réfection des écoles élémentaires \$	Secondary Top Up for School Renewal/ Somme complémentaire liée à la réfection des écoles secondaires \$
1.	Conseil de district des écoles publiques de langue française n° 59		-59,906		-9,949
2.	Conseil scolaire de district catholique de l'Est ontarien		-26,194		-4,621
3.	Conseil scolaire de district catholique des Aurores boréales	-5,511	0	-972	0
4.	Conseil scolaire de district catholique des Grandes Rivières	-76,936	-58,762	-13,571	-10,325

Item/Point	Column/ Colonne 1 Name of Board/Nom du conseil	Column/ Colonne 2 Elementary Top Up Allocation for School Operations/Somme complémentaire liée au fonctionnement des écoles élémentaires \$	Column/ Colonne 3 Secondary Top Up Allocation for School Operations/ Somme complémentaire liée au fonctionnement des écoles secondaires \$	Column/ Colonne 4 Elementary Top Up for School Renewal/ Somme complémentaire liée à la réfection des écoles élémentaires \$	Column/ Colonne 5 Secondary Top Up for School Renewal/ Somme complémentaire liée à la réfection des écoles secondaires \$
5.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	-94,529	-5,752	-15,609	-924
6.	Conseil scolaire de district catholique du Nouvel-Ontario	0	-76,268	0	-13,454
7.	Conseil scolaire de district du Grand Nord de l'Ontario	17,260	0	2,912	0
8.	District School Board Ontario North East	-51,518	0	-8,912	0
9.	Huron Perth Catholic District School Board	-16,103	0	-2,840	0
10.	Keewatin-Patricia District School Board	-41,044	0	-6,896	0
11.	Lakehead District School Board	-21,190	0	-3,694	0
12.	Limestone District School Board	-34,681	0	-6,011	0
13.	Renfrew County District School Board	-15,804	0	-2,729	0
14.	St. Clair Catholic District School Board	-5,576	0	-935	0
15.	Upper Canada District School Board	-25,701	0	-4,394	0
16.	Windsor-Essex Catholic District School Board	8,862	0	1,533	0

TABLE/TABLEAU 12

AMOUNT FOR RENEWAL SOFTWARE LICENSING FEES/SOMME LIÉE AU RENOUVELLEMENT DES PERMIS D'UTILISATION DE LOGICIELS

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Allocation for Renewal Software Licensing Fee/Somme liée au renouvellement des permis d'utilisation de logiciels \$
1.	Algoma District School Board	14,728
2.	Algonquin and Lakeshore Catholic District School Board	9,044
3.	Avon Maitland District School Board	17,425
4.	Bluewater District School Board	17,821
5.	Brant Haldimand Norfolk Catholic District School Board	6,163
6.	Bruce-Grey Catholic District School Board	2,911
7.	Catholic District School Board of Eastern Ontario	8,231
8.	Conseil de district des écoles publiques de langue française n° 59	7,490
9.	Conseil scolaire de district catholique Centre-Sud	10,442
10.	Conseil scolaire de district catholique de l'Est ontarien	12,139
11.	Conseil scolaire de district catholique des Aurores boréales	620
12.	Conseil scolaire de district catholique des Grandes Rivières	10,862
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	13,818
14.	Conseil scolaire de district catholique du Nouvel-Ontario	8,688
15.	Conseil scolaire de district catholique Franco-Nord	5,152
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	6,123
17.	Conseil scolaire de district du Centre Sud-Ouest	9,229
18.	Conseil scolaire de district du Grand Nord de l'Ontario	3,845
19.	Conseil scolaire de district du Nord-Est de l'Ontario	853

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Allocation for Renewal Software Licensing Fee/Somme liée au renouvellement des permis d'utilisation de logiciels \$
20.	District School Board of Niagara	41,051
21.	District School Board Ontario North East	13,417
22.	Dufferin-Peel Catholic District School Board	41,028
23.	Durham Catholic District School Board	13,056
24.	Durham District School Board	37,502
25.	English-language Separate District School Board No. 38	13,545
26.	Grand Erie District School Board	25,152
27.	Greater Essex County District School Board	30,236
28.	Halton Catholic District School Board	12,968
29.	Halton District School Board	33,538
30.	Hamilton-Wentworth Catholic District School Board	20,354
31.	Hamilton-Wentworth District School Board	48,493
32.	Hastings and Prince Edward District School Board	16,342
33.	Huron Perth Catholic District School Board	2,853
34.	Huron-Superior Catholic District School Board	5,747
35.	Kawartha Pine Ridge District School Board	28,719
36.	Keewatin-Patricia District School Board	5,898
37.	Kenora Catholic District School Board	891
38.	Lakehead District School Board	12,468
39.	Lambton Kent District School Board	24,263
40.	Limestone District School Board	19,543
41.	Near North District School Board	11,892
42.	Niagara Catholic District School Board	14,962
43.	Nipissing-Parry Sound Catholic District School Board	3,826
44.	Northeastern Catholic District School Board	2,648
45.	Northwest Catholic District School Board	868
46.	Ottawa-Carleton District School Board	65,947
47.	Ottawa Catholic District School Board	27,130
48.	Peel District School Board	68,019
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	8,908
50.	Rainbow District School Board	17,507
51.	Rainy River District School Board	4,236
52.	Renfrew County Catholic District School Board	4,330
53.	Renfrew County District School Board	12,414
54.	Simcoe County District School Board	32,760
55.	Simcoe Muskoka Catholic District School Board	11,450
56.	St. Clair Catholic District School Board	9,304
57.	Sudbury Catholic District School Board	7,314
58.	Superior-Greenstone District School Board	4,165
59.	Superior North Catholic District School Board	1,164
60.	Thames Valley District School Board	64,853
61.	Thunder Bay Catholic District School Board	5,534
62.	Toronto Catholic District School Board	71,015
63.	Toronto District School Board	284,436
64.	Trillium Lakelands District School Board	15,018
65.	Upper Canada District School Board	29,960
66.	Upper Grand District School Board	21,000
67.	Waterloo Catholic District School Board	14,178
68.	Waterloo Region District School Board	38,590
69.	Wellington Catholic District School Board	4,534
70.	Windsor-Essex Catholic District School Board	17,122
71.	York Catholic District School Board	27,574
72.	York Region District School Board	51,553



TABLE/TABLEAU 13  
COMMUNITY USE OF SCHOOLS COMPENSATION AMOUNT/SOMME LIÉE AU FONCTIONNEMENT DE  
L'UTILISATION COMMUNAUTAIRE DES ÉCOLES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
1.	Algoma District School Board	185,771
2.	Algonquin and Lakeshore Catholic District School Board	159,008
3.	Avon Maitland District School Board	248,487
4.	Bluewater District School Board	263,741
5.	Brant Haldimand Norfolk Catholic District School Board	146,014
6.	Bruce-Grey Catholic District School Board	46,114
7.	Catholic District School Board of Eastern Ontario	163,726
8.	Conseil de district des écoles publiques de langue française n° 59	167,256
9.	Conseil scolaire de district catholique Centre-Sud	173,272
10.	Conseil scolaire de district catholique de l'Est ontarien	179,135
11.	Conseil scolaire de district catholique des Aurores boréales	17,439
12.	Conseil scolaire de district catholique des Grandes Rivières	144,763
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	246,801
14.	Conseil scolaire de district catholique du Nouvel-Ontario	122,651
15.	Conseil scolaire de district catholique Franco-Nord	65,450
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	102,323
17.	Conseil scolaire de district du Centre Sud-Ouest	134,989
18.	Conseil scolaire de district du Grand Nord de l'Ontario	59,032
19.	Conseil scolaire de district du Nord-Est de l'Ontario	25,944
20.	District School Board of Niagara	543,715
21.	District School Board Ontario North East	172,292
22.	Dufferin-Peel Catholic District School Board	1,130,633
23.	Durham Catholic District School Board	288,818
24.	Durham District School Board	821,552
25.	English-language Separate District School Board No. 38	264,847
26.	Grand Erie District School Board	364,528
27.	Greater Essex County District School Board	463,147
28.	Halton Catholic District School Board	327,329
29.	Halton District School Board	586,003
30.	Hamilton-Wentworth Catholic District School Board	360,066
31.	Hamilton-Wentworth District School Board	660,907
32.	Hastings and Prince Edward District School Board	240,083
33.	Huron Perth Catholic District School Board	55,472
34.	Huron-Superior Catholic District School Board	80,687
35.	Kawartha Pine Ridge District School Board	435,037
36.	Keewatin-Patricia District School Board	92,880
37.	Kenora Catholic District School Board	14,881
38.	Lakehead District School Board	142,203
39.	Lambton Kent District School Board	341,269
40.	Limestone District School Board	298,814
41.	Near North District School Board	172,464
42.	Niagara Catholic District School Board	293,332
43.	Nipissing-Parry Sound Catholic District School Board	53,467
44.	Northeastern Catholic District School Board	38,764
45.	Northwest Catholic District School Board	13,287
46.	Ottawa Catholic District School Board	543,488
47.	Ottawa-Carleton District School Board	965,131
48.	Peel District School Board	1,808,716
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	194,592
50.	Rainbow District School Board	220,914
51.	Rainy River District School Board	47,897
52.	Renfrew County Catholic District School Board	68,447
53.	Renfrew County District School Board	155,257
54.	Simcoe County District School Board	616,190
55.	Simcoe Muskoka Catholic District School Board	268,681

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
56.	St. Clair Catholic District School Board	130,312
57.	Sudbury Catholic District School Board	94,688
58.	Superior North Catholic District School Board	19,753
59.	Superior-Greenstone District School Board	57,637
60.	Thames Valley District School Board	918,821
61.	Thunder Bay Catholic District School Board	95,947
62.	Toronto Catholic District School Board	1,105,311
63.	Toronto District School Board	3,813,127
64.	Trillium Lakelands District School Board	245,147
65.	Upper Canada District School Board	452,131
66.	Upper Grand District School Board	384,951
67.	Waterloo Catholic District School Board	279,633
68.	Waterloo Region District School Board	685,566
69.	Wellington Catholic District School Board	98,566
70.	Windsor-Essex Catholic District School Board	296,385
71.	York Catholic District School Board	672,354
72.	York Region District School Board	1,351,970

TABLE/TABLEAU 14

PERCENTAGE OF TOTAL AREA OF ELEMENTARY AND SECONDARY SCHOOLS LESS THAN 20 YEARS OLD  
OR 20 YEARS OR OLDER/POURCENTAGE DE LA SUPERFICIE TOTALE DES ÉCOLES ÉLÉMENTAIRES ET  
SECONDAIRES QUI DATENT DE MOINS DE 20 ANS OU DE 20 ANS OU PLUS

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 % of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	Column/Colonne 3 % of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	Column/Colonne 4 % of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	Column/Colonne 5 % of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
1.	Algoma District School Board	3.85%	96.15%	0.00%	100.00%
2.	Algonquin and Lakeshore Catholic District School Board	14.50%	85.50%	57.79%	42.21%
3.	Avon Maitland District School Board	5.97%	94.03%	0.00%	100.00%
4.	Bluewater District School Board	5.84%	94.16%	11.49%	88.51%
5.	Brant Haldimand Norfolk Catholic District School Board	14.06%	85.94%	50.00%	50.00%
6.	Bruce-Grey Catholic District School Board	27.36%	72.64%	0.00%	100.00%
7.	Catholic District School Board of Eastern Ontario	27.22%	72.78%	80.15%	19.85%
8.	Conseil de district des écoles publiques de langue française n° 59	39.90%	60.10%	14.24%	85.76%
9.	Conseil scolaire de district catholique Centre-Sud	48.01%	51.99%	46.63%	53.37%
10.	Conseil scolaire de district catholique de l'Est ontarien	10.89%	89.11%	0.00%	100.00%
11.	Conseil scolaire de district catholique des Aurores boréales	0.00%	100.00%	0.00%	100.00%
12.	Conseil scolaire de district catholique des Grandes Rivières	0.00%	100.00%	0.93%	99.07%
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	19.03%	80.97%	26.73%	73.27%
14.	Conseil scolaire de district catholique du Nouvel-Ontario	3.52%	96.48%	0.00%	100.00%
15.	Conseil scolaire de district catholique Franco-Nord	0.00%	100.00%	0.00%	100.00%



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	% of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	% of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	% of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	% of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	31.06%	68.94%	14.33%	85.67%
17.	Conseil scolaire de district du Centre Sud-Ouest	8.12%	91.88%	7.00%	93.00%
18.	Conseil scolaire de district du Grand Nord de l'Ontario	12.95%	87.05%	8.22%	91.78%
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0.00%	100.00%	0.00%	100.00%
20.	District School Board of Niagara	4.96%	95.04%	0.71%	99.29%
21.	District School Board Ontario North East	5.71%	94.29%	0.00%	100.00%
22.	Dufferin-Peel Catholic District School Board	56.10%	43.90%	74.75%	25.25%
23.	Durham Catholic District School Board	55.92%	44.08%	77.52%	22.48%
24.	Durham District School Board	39.36%	60.64%	15.07%	84.93%
25.	English-language Separate District School Board No. 38	9.38%	90.62%	64.35%	35.65%
26.	Grand Erie District School Board	5.20%	94.80%	6.33%	93.67%
27.	Greater Essex County District School Board	4.96%	95.04%	0.00%	100.00%
28.	Halton Catholic District School Board	38.04%	61.96%	57.50%	42.50%
29.	Halton District School Board	14.37%	85.63%	13.40%	86.60%
30.	Hamilton-Wentworth Catholic District School Board	17.77%	82.23%	67.39%	32.61%
31.	Hamilton-Wentworth District School Board	7.76%	92.24%	9.08%	90.92%
32.	Hastings and Prince Edward District School Board	3.10%	96.90%	0.00%	100.00%
33.	Huron Perth Catholic District School Board	0.00%	100.00%	100.00%	0.00%
34.	Huron-Superior Catholic District School Board	0.00%	100.00%	0.00%	100.00%
35.	Kawartha Pine Ridge District School Board	17.29%	82.71%	0.00%	100.00%
36.	Keewatin-Patricia District School Board	14.24%	85.76%	0.00%	100.00%
37.	Kenora Catholic District School Board	14.24%	85.76%	100.00%	0.00%
38.	Lakehead District School Board	3.57%	96.43%	0.00%	100.00%
39.	Lambton Kent District School Board	2.31%	97.69%	0.00%	100.00%
40.	Limestone District School Board	5.13%	94.87%	0.33%	99.67%
41.	Near North District School Board	15.26%	84.74%	0.89%	99.11%
42.	Niagara Catholic District School Board	5.60%	94.40%	0.00%	100.00%
43.	Nipissing-Parry Sound Catholic District School Board	8.35%	91.65%	0.00%	100.00%
44.	Northeastern Catholic District School Board	6.35%	93.65%	0.00%	100.00%
45.	Northwest Catholic District School Board	32.66%	67.34%	0.00%	0.00%
46.	Ottawa-Carleton District School Board	19.51%	80.49%	7.42%	92.58%
47.	Ottawa Catholic District School Board	26.08%	73.92%	28.35%	71.65%



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	% of Total Area of Elementary Schools that are Less than 20 Years Old/% de la superficie totale des écoles élémentaires qui datent de moins de 20 ans	% of Total Area of Elementary Schools that are 20 Years or Older/% de la superficie totale des écoles élémentaires qui datent de 20 ans ou plus	% of Total Area of Secondary Schools that are Less than 20 Years Old/% de la superficie totale des écoles secondaires qui datent de moins de 20 ans	% of Total Area of Secondary Schools that are 20 Years or Older/% de la superficie totale des écoles secondaires qui datent de 20 ans ou plus
48.	Peel District School Board	31.52%	68.48%	14.63%	85.37%
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	40.72%	59.28%	100.00%	0.00%
50.	Rainbow District School Board	6.15%	93.85%	0.00%	100.00%
51.	Rainy River District School Board	7.46%	92.54%	0.00%	100.00%
52.	Renfrew County Catholic District School Board	0.00%	100.00%	36.32%	63.68%
53.	Renfrew County District School Board	6.41%	93.59%	0.00%	100.00%
54.	Simcoe County District School Board	20.09%	79.91%	0.00%	100.00%
55.	Simcoe Muskoka Catholic District School Board	64.54%	35.46%	100.00%	0.00%
56.	St. Clair Catholic District School Board	14.81%	85.19%	30.44%	69.56%
57.	Sudbury Catholic District School Board	0.00%	100.00%	26.36%	73.64%
58.	Superior North Catholic District School Board	10.53%	89.47%	0.00%	0.00%
59.	Superior-Greenstone District School Board	42.92%	57.08%	31.38%	68.62%
60.	Thames Valley District School Board	9.00%	91.00%	0.00%	100.00%
61.	Thunder Bay Catholic District School Board	6.83%	93.17%	0.00%	100.00%
62.	Toronto Catholic District School Board	10.50%	89.50%	19.59%	80.41%
63.	Toronto District School Board	7.98%	92.02%	2.07%	97.93%
64.	Trillium Lakelands District School Board	19.34%	80.66%	0.00%	100.00%
65.	Upper Canada District School Board	9.19%	90.81%	3.04%	96.96%
66.	Upper Grand District School Board	20.97%	79.03%	8.51%	91.49%
67.	Waterloo Catholic District School Board	31.21%	68.79%	41.56%	58.44%
68.	Waterloo Region District School Board	20.08%	79.92%	5.03%	94.97%
69.	Wellington Catholic District School Board	26.99%	73.01%	13.53%	86.47%
70.	Windsor-Essex Catholic District School Board	2.74%	97.26%	25.66%	74.34%
71.	York Catholic District School Board	65.29%	34.71%	85.24%	14.76%
72.	York Region District School Board	49.26%	50.74%	38.75%	61.25%

TABLE/TABLEAU 15

## SCHOOL RENEWAL ENHANCEMENT AMOUNT/AUGMENTATION AU TITRE DE LA RÉFECTION DES ÉCOLES

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	610,342
2.	Algonquin and Lakeshore Catholic District School Board	316,877
3.	Avon Maitland District School Board	613,151
4.	Bluewater District School Board	569,744
5.	Brant Haldimand Norfolk Catholic District School Board	200,000
6.	Bruce-Grey Catholic District School Board	200,000
7.	Catholic District School Board of Eastern Ontario	206,455

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
8.	Conseil de district des écoles publiques de langue française n° 59	224,712
9.	Conseil scolaire de district catholique Centre-Sud	230,648
10.	Conseil scolaire de district catholique de l'Est ontarien	688,004
11.	Conseil scolaire de district catholique des Aurores boréales	200,000
12.	Conseil scolaire de district catholique des Grandes Rivières	642,303
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	654,625
14.	Conseil scolaire de district catholique du Nouvel-Ontario	298,186
15.	Conseil scolaire de district catholique Franco-Nord	278,201
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	210,185
17.	Conseil scolaire de district du Centre Sud-Ouest	445,205
18.	Conseil scolaire de district du Grand Nord de l'Ontario	200,000
19.	Conseil scolaire de district du Nord-Est de l'Ontario	200,000
20.	District School Board of Niagara	1,611,150
21.	District School Board Ontario North East	296,769
22.	Dufferin-Peel Catholic District School Board	730,538
23.	Durham Catholic District School Board	258,352
24.	Durham District School Board	825,035
25.	English-language Separate District School Board No. 38	627,292
26.	Grand Erie District School Board	1,427,656
27.	Greater Essex County District School Board	885,318
28.	Halton Catholic District School Board	200,000
29.	Halton District School Board	1,133,536
30.	Hamilton-Wentworth Catholic District School Board	538,288
31.	Hamilton-Wentworth District School Board	1,480,155
32.	Hastings and Prince Edward District School Board	747,191
33.	Huron Perth Catholic District School Board	200,000
34.	Huron-Superior Catholic District School Board	200,000
35.	Kawartha Pine Ridge District School Board	1,185,432
36.	Keewatin-Patricia District School Board	200,000
37.	Kenora Catholic District School Board	200,000
38.	Lakehead District School Board	425,735
39.	Lambton Kent District School Board	720,778
40.	Limestone District School Board	784,094
41.	Near North District School Board	412,926
42.	Niagara Catholic District School Board	717,296
43.	Nipissing-Parry Sound Catholic District School Board	200,000
44.	Northeastern Catholic District School Board	200,000
45.	Northwest Catholic District School Board	200,000
46.	Ottawa-Carleton District School Board	2,744,424
47.	Ottawa Catholic District School Board	855,428
48.	Peel District School Board	1,934,039
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	200,000
50.	Rainbow District School Board	424,825
51.	Rainy River District School Board	200,000
52.	Renfrew County Catholic District School Board	200,000
53.	Renfrew County District School Board	673,097
54.	Simcoe County District School Board	876,164
55.	Simcoe Muskoka Catholic District School Board	221,824
56.	St. Clair Catholic District School Board	200,000
57.	Sudbury Catholic District School Board	200,000
58.	Superior-Greenstone District School Board	200,000
59.	Superior North Catholic District School Board	200,000
60.	Thames Valley District School Board	937,238
61.	Thunder Bay Catholic District School Board	200,000
62.	Toronto Catholic District School Board	3,519,937
63.	Toronto District School Board	4,724,847
64.	Trillium Lakelands District School Board	229,255
65.	Upper Canada District School Board	2,055,456
66.	Upper Grand District School Board	1,187,308



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
67.	Waterloo Catholic District School Board	564,787
68.	Waterloo Region District School Board	1,262,811
69.	Wellington Catholic District School Board	200,000
70.	Windsor-Essex Catholic District School Board	408,943
71.	York Catholic District School Board	322,699
72.	York Region District School Board	1,804,956

TABLE/TABLEAU 16

## GEOGRAPHIC ADJUSTMENT FACTORS/FACTEURS DE REDRESSEMENT GÉOGRAPHIQUE

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 1998 Geographic Adjustment Factor/Facteur de redressement géographique de 1998	Column/Colonne 3 2005 Geographic Adjustment Factor/Facteur de redressement géographique de 2005
1.	Algoma District School Board	1.106	1.150
2.	Algonquin and Lakeshore Catholic District School Board	1.032	0.980
3.	Avon Maitland District School Board	1.010	1.000
4.	Bluewater District School Board	1.007	1.010
5.	Brant Haldimand Norfolk Catholic District School Board	1.000	0.980
6.	Bruce-Grey Catholic District School Board	1.007	1.010
7.	Catholic District School Board of Eastern Ontario	1.000	0.980
8.	Conseil de district des écoles publiques de langue française n° 59	1.000	0.960
9.	Conseil scolaire de district catholique Centre-Sud	1.000	0.980
10.	Conseil scolaire de district catholique de l'Est ontarien	1.000	1.010
11.	Conseil scolaire de district catholique des Aurores boréales	1.100	1.340
12.	Conseil scolaire de district catholique des Grandes Rivières	1.123	1.300
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	1.000	0.960
14.	Conseil scolaire de district catholique du Nouvel-Ontario	1.118	1.190
15.	Conseil scolaire de district catholique Franco-Nord	1.043	1.150
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	1.000	0.970
17.	Conseil scolaire de district du Centre Sud-Ouest	1.000	0.980
18.	Conseil scolaire de district du Grand Nord de l'Ontario	1.116	1.230
19.	Conseil scolaire de district du Nord-Est de l'Ontario	1.110	1.240
20.	District School Board of Niagara	1.000	0.970
21.	District School Board Ontario North East	1.120	1.290
22.	Dufferin-Peel Catholic District School Board	1.000	1.000
23.	Durham Catholic District School Board	1.000	0.970
24.	Durham District School Board	1.000	0.980
25.	English-language Separate District School Board No. 38	1.000	0.960
26.	Grand Erie District School Board	1.000	0.990
27.	Greater Essex County District School Board	1.000	0.970
28.	Halton Catholic District School Board	1.000	0.990
29.	Halton District School Board	1.000	0.990
30.	Hamilton-Wentworth Catholic District School Board	1.000	0.950
31.	Hamilton-Wentworth District School Board	1.000	0.960
32.	Hastings and Prince Edward District School Board	1.025	0.990
33.	Huron Perth Catholic District School Board	1.011	1.000
34.	Huron-Superior Catholic District School Board	1.104	1.130
35.	Kawartha Pine Ridge District School Board	1.003	0.990
36.	Keewatin-Patricia District School Board	1.144	1.390
37.	Kenora Catholic District School Board	1.143	1.390
38.	Lakehead District School Board	1.080	1.220
39.	Lambton Kent District School Board	1.000	0.990
40.	Limestone District School Board	1.015	0.980
41.	Near North District School Board	1.042	1.140
42.	Niagara Catholic District School Board	1.000	0.970
43.	Nipissing-Parry Sound Catholic District School Board	1.042	1.120
44.	Northeastern Catholic District School Board	1.123	1.270



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 1998 Geographic Adjustment Factor/Facteur de redressement géographique de 1998	Column/Colonne 3 2005 Geographic Adjustment Factor/Facteur de redressement géographique de 2005
45.	Northwest Catholic District School Board	1.149	1.390
46.	Ottawa-Carleton District School Board	1.000	0.960
47.	Ottawa Catholic District School Board	1.000	0.950
48.	Peel District School Board	1.000	1.000
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	1.003	0.980
50.	Rainbow District School Board	1.063	1.160
51.	Rainy River District School Board	1.142	1.390
52.	Renfrew County Catholic District School Board	1.000	1.000
53.	Renfrew County District School Board	1.000	1.000
54.	Simcoe County District School Board	1.000	1.000
55.	Simcoe Muskoka Catholic District School Board	1.000	1.010
56.	St. Clair Catholic District School Board	1.000	0.980
57.	Sudbury Catholic District School Board	1.048	1.150
58.	Superior-Greenstone District School Board	1.141	1.390
59.	Superior North Catholic District School Board	1.146	1.390
60.	Thames Valley District School Board	1.000	0.970
61.	Thunder Bay Catholic District School Board	1.074	1.200
62.	Toronto Catholic District School Board	1.000	1.000
63.	Toronto District School Board	1.000	1.000
64.	Trillium Lakelands District School Board	1.026	1.080
65.	Upper Canada District School Board	1.000	0.990
66.	Upper Grand District School Board	1.000	0.980
67.	Waterloo Catholic District School Board	1.000	0.960
68.	Waterloo Region District School Board	1.000	0.960
69.	Wellington Catholic District School Board	1.000	0.970
70.	Windsor-Essex Catholic District School Board	1.000	0.960
71.	York Catholic District School Board	1.000	1.000
72.	York Region District School Board	1.000	1.000

TABLE/TABLEAU 17

GOOD PLACES TO LEARN — MAXIMUM ALLOCATIONS/LIEUX PROPICES À L'APPRENTISSAGE —  
ALLOCATIONS MAXIMALES

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Column/Colonne 3 Cost of Urgent and High Priority Renewal Projects in Stage 2/ Coût des travaux de réfection urgents et importants — Phase II \$	Column/Colonne 4 Cost of Urgent and High Priority Renewal Projects in Stage 3/ Coût des travaux de réfection urgents et importants — Phase III \$
1.	Algoma District School Board	8,566,032	4,995,267	7,419,175
2.	Algonquin and Lakeshore Catholic District School Board	5,520,784	2,676,460	2,383,944
3.	Avon Maitland District School Board	15,736,931	7,232,322	5,376,929
4.	Bluewater District School Board	14,384,686	7,146,043	6,704,892
5.	Brant Haldimand Norfolk Catholic District School Board	3,736,736	2,002,838	1,705,600
6.	Bruce-Grey Catholic District School Board	1,451,485	980,893	481,320
7.	Catholic District School Board of Eastern Ontario	6,219,937	2,530,733	2,803,289
8.	Conseil de district des écoles publiques de langue française n° 59	6,274,889	3,040,271	1,353,552
9.	Conseil scolaire de district catholique Centre-Sud	6,572,429	2,538,560	6,191,446
10.	Conseil scolaire de district catholique de l'est Ontarien	11,052,079	3,202,518	5,921,700
11.	Conseil scolaire de district catholique des Aurores boréales	538,819	232,311	169,689
12.	Conseil scolaire de district catholique des Grandes Rivières	5,044,082	3,143,085	1,657,108

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/ Colonne 3	Column/ Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/ Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/ Coût des travaux de réfection urgents et importants — Phase III \$
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	7,471,767	4,982,994	3,912,531
14.	Conseil scolaire de district catholique du Nouvel-Ontario	7,658,633	3,747,791	3,263,607
15.	Conseil scolaire de district catholique Franco-Nord	3,572,837	1,202,050	2,044,028
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	3,964,416	2,365,391	1,070,885
17.	Conseil scolaire de district du Centre Sud-Ouest	7,607,684	5,955,460	2,361,611
18.	Conseil scolaire de district du Grand Nord de l'Ontario	2,556,615	1,940,285	1,322,770
19.	Conseil scolaire de district du Nord-Est de l'Ontario	387,631	1,314,211	0
20.	District School Board of Niagara	49,974,365	20,969,450	22,693,835
21.	District School Board Ontario North East	5,600,507	4,389,318	1,517,577
22.	Dufferin-Peel Catholic District School Board	13,249,338	5,360,022	11,266,617
23.	Durham Catholic District School Board	2,785,579	2,462,113	1,809,156
24.	Durham District School Board	34,178,196	15,905,348	17,534,183
25.	English-language Separate District School Board No. 38	5,753,149	3,337,905	2,003,443
26.	Grand Erie District School Board	19,857,897	10,108,540	6,694,066
27.	Greater Essex County District School Board	27,319,674	11,876,531	8,611,374
28.	Halton Catholic District School Board	1,557,316	1,495,894	644,331
29.	Halton District School Board	20,243,575	11,833,447	8,180,503
30.	Hamilton-Wentworth Catholic District School Board	7,963,970	3,543,147	2,662,646
31.	Hamilton-Wentworth District School Board	34,103,412	16,283,534	14,648,604
32.	Hastings and Prince Edward District School Board	17,758,146	8,352,536	7,638,914
33.	Huron-Perth Catholic District School Board	1,120,758	954,589	590,500
34.	Huron-Superior Catholic District School Board	3,534,484	2,344,354	199,705
35.	Kawartha Pine Ridge District School Board	20,046,679	11,577,316	18,200,735
36.	Keewatin-Patricia District School Board	4,196,161	1,811,632	1,028,679
37.	Kenora Catholic District School Board	389,401	60,746	0
38.	Lakehead District School Board	5,722,015	2,783,056	799,483
39.	Lambton Kent District School Board	13,930,892	6,933,649	6,151,066
40.	Limestone District School Board	23,041,672	8,953,728	8,659,567
41.	Near North District School Board	11,422,809	6,209,331	5,922,960
42.	Niagara Catholic District School Board	17,271,446	7,079,291	5,987,964
43.	Nipissing-Parry Sound Catholic District School Board	2,910,248	819,592	792,532
44.	Northeastern Catholic District School Board	593,601	692,687	550,149
45.	Northwest Catholic District School Board	242,004	163,826	100,829
46.	Ottawa-Carleton District School Board	47,997,615	18,638,960	17,876,347
47.	Ottawa Catholic District School Board	19,644,533	8,873,966	8,371,051
48.	Peel District School Board	53,515,740	25,922,763	23,378,042
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	2,272,590	1,159,124	174,670
50.	Rainbow District School Board	11,348,912	6,026,504	4,736,184
51.	Rainy River District School Board	1,072,658	1,066,887	516,235
52.	Renfrew County Catholic District School Board	2,319,798	1,520,769	1,597,920
53.	Renfrew County District School Board	8,592,082	6,465,615	4,625,447
54.	Simcoe County District School Board	33,557,187	16,685,935	12,654,293
55.	Simcoe Muskoka Catholic District School Board	6,079,445	3,280,954	1,828,933
56.	St. Clair Catholic District School Board	3,943,656	2,462,347	1,161,122
57.	Sudbury Catholic District School Board	6,629,471	2,849,310	5,220,185
58.	Superior North Catholic District School Board	1,444,496	625,173	614,534
59.	Superior-Greenstone District School Board	1,498,725	970,022	5,079,834
60.	Thames Valley District School Board	41,210,971	23,246,092	18,216,569
61.	Thunder Bay Catholic District School Board	5,609,488	2,730,208	1,554,277
62.	Toronto Catholic District School Board	39,166,136	19,890,934	15,478,683
63.	Toronto District School Board	175,426,757	97,246,244	98,415,289



Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4
	Name of Board/Nom du conseil	Cost of Urgent and High Priority Renewal Projects in Stage 1/Coût des travaux de réfection urgents et importants — Phase I \$	Cost of Urgent and High Priority Renewal Projects in Stage 2/ Coût des travaux de réfection urgents et importants — Phase II \$	Cost of Urgent and High Priority Renewal Projects in Stage 3/ Coût des travaux de réfection urgents et importants — Phase III \$
64.	Trillium Lakelands District School Board	5,818,110	3,415,222	3,383,560
65.	Upper Canada District School Board	10,847,832	8,902,213	8,849,873
66.	Upper Grand District School Board	15,277,490	7,319,709	5,015,878
67.	Waterloo Catholic District School Board	6,082,548	3,513,738	2,377,127
68.	Waterloo Region District School Board	24,732,097	13,047,178	10,325,843
69.	Wellington Catholic District School Board	1,461,091	1,216,228	799,551
70.	Windsor-Essex Catholic District School Board	8,094,232	4,684,843	5,249,917
71.	York Catholic District School Board	10,423,811	5,678,045	3,626,725
72.	York Region District School Board	27,532,179	15,940,140	27,902,213

TABLE/TABLEAU 18

## 2005 CAPITAL POLICY ADJUSTMENT/REDRESSEMENT DES IMMOBILISATIONS EN 2005

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Name of Board/Nom du conseil	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	English-language Separate District School Board No. 38	728	0
2.	Greater Essex County District School Board	1569	0
3.	Hamilton-Wentworth District School Board	842	0
4.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	463	0
5.	Trillium Lakelands District School Board	0	903
6.	Upper Grand District School Board	1724	0
7.	Windsor-Essex Catholic District School Board	522	1059

TABLE/TABLEAU 19

## GROWTH SCHOOLS AMOUNT ELIGIBLE FOR LONG-TERM FINANCING/SOMME LIÉE AUX ÉCOLES DES QUARTIERS À FORTE CROISSANCE QUI EST ADMISSIBLE AU FINANCEMENT À LONG TERME

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
1.	Algoma District School Board	0
2.	Algonquin and Lakeshore Catholic District School Board	0
3.	Avon Maitland District School Board	0
4.	Bluewater District School Board	0
5.	Brant Haldimand Norfolk Catholic District School Board	0
6.	Bruce-Grey Catholic District School Board	0
7.	Catholic District School Board of Eastern Ontario	0
8.	Conseil de district des écoles publiques de langue française n° 59	0
9.	Conseil scolaire de district catholique Centre-Sud	0
10.	Conseil scolaire de district catholique de l'Est ontarien	0
11.	Conseil scolaire de district catholique des Aurores boréales	0
12.	Conseil scolaire de district catholique des Grandes Rivières	0
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	0
14.	Conseil scolaire de district catholique du Nouvel-Ontario	0
15.	Conseil scolaire de district catholique Franco-Nord	0
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	0
17.	Conseil scolaire de district du Centre Sud-Ouest	0



Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
18.	Conseil scolaire de district du Grand Nord de l'Ontario	0
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0
20.	District School Board of Niagara	0
21.	District School Board Ontario North East	0
22.	Dufferin-Peel Catholic District School Board	0
23.	Durham Catholic District School Board	0
24.	Durham District School Board	0
25.	English-language Separate District School Board No. 38	0
26.	Grand Erie District School Board	0
27.	Greater Essex County District School Board	22,162,431
28.	Halton Catholic District School Board	28,650,513
29.	Halton District School Board	39,603,358
30.	Hamilton-Wentworth Catholic District School Board	0
31.	Hamilton-Wentworth District School Board	0
32.	Hastings and Prince Edward District School Board	0
33.	Huron Perth Catholic District School Board	0
34.	Huron-Superior Catholic District School Board	0
35.	Kawartha Pine Ridge District School Board	0
36.	Keewatin-Patricia District School Board	0
37.	Kenora Catholic District School Board	0
38.	Lakehead District School Board	0
39.	Lambton Kent District School Board	0
40.	Limestone District School Board	0
41.	Near North District School Board	0
42.	Niagara Catholic District School Board	0
43.	Nipissing-Parry Sound Catholic District School Board	0
44.	Northeastern Catholic District School Board	0
45.	Northwest Catholic District School Board	0
46.	Ottawa-Carleton District School Board	0
47.	Ottawa Catholic District School Board	26,292,446
48.	Peel District School Board	0
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	12,725,832
50.	Rainbow District School Board	0
51.	Rainy River District School Board	0
52.	Renfrew County Catholic District School Board	0
53.	Renfrew County District School Board	0
54.	Simcoe County District School Board	0
55.	Simcoe Muskoka Catholic District School Board	0
56.	St. Clair Catholic District School Board	0
57.	Sudbury Catholic District School Board	0
58.	Superior-Greenstone District School Board	0
59.	Superior North Catholic District School Board	0
60.	Thames Valley District School Board	0
61.	Thunder Bay Catholic District School Board	0
62.	Toronto Catholic District School Board	11,675,708
63.	Toronto District School Board	0
64.	Trillium Lakelands District School Board	0
65.	Upper Canada District School Board	0
66.	Upper Grand District School Board	0
67.	Waterloo Catholic District School Board	0
68.	Waterloo Region District School Board	0
69.	Wellington Catholic District School Board	0
70.	Windsor-Essex Catholic District School Board	0
71.	York Catholic District School Board	0
72.	York Region District School Board	0

TABLE/TABLEAU 20

## CAPITAL TRANSITIONAL ADJUSTMENT I/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS (N° 1)

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	Conseil de district des écoles publiques de langue française n° 59	Casselman	September 1, 2004/ 1 <sup>er</sup> septembre 2004	200	600
2.	Conseil de district des écoles publiques de langue française n° 59	City of/Cité de Cumberland	December 31, 2000/ 31 décembre 2000	0	700
3.	Conseil de district des écoles publiques de langue française n° 59	City of/Cité d'Ottawa	December 31, 2000/ 31 décembre 2000	0	500
4.	Conseil de district des écoles publiques de langue française n° 59	Ottawa	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	500
5.	Conseil de district des écoles publiques de langue française n° 59	Town of Vankleek Hill	December 31, 1997/ 31 décembre 1997	0	500
6.	Conseil scolaire de district catholique Centre-Sud	Cambridge	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	600
7.	Conseil scolaire de district catholique Centre-Sud	York	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	700
8.	Conseil scolaire de district catholique de l'Est ontarien	North Glengarry	September 1, 2003/ 1 <sup>er</sup> septembre 2003	400	500
9.	Conseil scolaire de district catholique de l'Est ontarien	Clarence-Rockland	September 1, 2005/ 1 <sup>er</sup> septembre 2005	240	0
10.	Conseil scolaire de district catholique des Aurores boréales	Thunder Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	540
11.	Conseil scolaire de district catholique des Grandes Rivières	Cochrane	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	500
12.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Brockville	September 1, 2004/ 1 <sup>er</sup> septembre 2004	300	170
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Carleton Place	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	0
14.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	City of/Cité de Trenton	December 31, 1997/ 31 décembre 1997	300	0
15.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Ottawa	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	960
16.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Pembroke	September 1, 2003/ 1 <sup>er</sup> septembre 2003	500	500
17.	Conseil scolaire de district catholique du Nouvel-Ontario	Blind River	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	500
18.	Conseil scolaire de district catholique du Nouvel-Ontario	Chapleau	September 1, 2004/ 1 <sup>er</sup> septembre 2004	0	500
19.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	Owen Sound	September 1, 2003/ 1 <sup>er</sup> septembre 2003	300	500
20.	Conseil scolaire de district du Centre Sud-Ouest	Barrie	September 1, 2004/ 1 <sup>er</sup> septembre 2004	0	500
21.	Conseil scolaire de district du Centre Sud-Ouest	Brampton	September 1, 2003/ 1 <sup>er</sup> septembre 2003	450	0

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
22.	Conseil scolaire de district du Centre Sud-Ouest	County of Essex	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	200
23.	Conseil scolaire de district du Centre Sud-Ouest	Peel	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	700
24.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2004/ 1 <sup>er</sup> septembre 2004	370	0
25.	Conseil scolaire de district du Centre Sud-Ouest	Windsor	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	300
26.	Conseil scolaire de district du Grand Nord de l'Ontario	Marathon or Manitouwadge	September 1, 2003/ 1 <sup>er</sup> septembre 2003	25	100
27.	Conseil scolaire de district du Nord-Est de l'Ontario	North Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	325	500
28.	Conseil scolaire de district du Nord-Est de l'Ontario	Timmins	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	502
29.	Sudbury Catholic District School Board	Greater Sudbury/ Grand Sudbury	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	500

TABLE/TABLEAU 21

CAPITAL TRANSITIONAL ADJUSTMENT 2/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS (N<sup>o</sup> 2)

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
1.	Conseil scolaire de district catholique Centre-Sud	Milton	September 1, 2007/ 1 <sup>er</sup> septembre 2007	458	0	7,228,310
2.	Conseil scolaire de district catholique Centre-Sud	Toronto	September 1, 2008/ 1 <sup>er</sup> septembre 2008	700	0	11,047,636
3.	Conseil scolaire de district catholique Centre-Sud	Toronto	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	1000	21,423,960
4.	Conseil scolaire de district catholique de l'Est ontarien	Clarence-Rockland	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	169	3,731,485
5.	Conseil scolaire de district catholique des Aurores boréales	Dryden	September 1, 2006/ 1 <sup>er</sup> septembre 2006	47	0	1,014,257
6.	Conseil scolaire de district catholique des Aurores boréales	Greenstone	September 1, 2006/ 1 <sup>er</sup> septembre 2006	9	0	194,219
7.	Conseil scolaire de district catholique des Grandes Rivières	Iroquois Falls	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	120	3,410,345
8.	Conseil scolaire de district catholique du Nouvel-Ontario	Wawa	September 1, 2005/ 1 <sup>er</sup> septembre 2005	0	115	2,991,703



Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/ Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
9.	Conseil scolaire de district catholique du Nouvel-Ontario	Wawa	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	125	3,251,851
10.	Conseil scolaire de district catholique Franco-Nord	Mattawa	September 1, 2007/ 1 <sup>er</sup> septembre 2007	0	360	9,050,530
11.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Chatham-Kent	September 1, 2007/ 1 <sup>er</sup> septembre 2007	476	0	7,435,735
12.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Sarnia	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	44	933,035
13.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	St. Thomas	September 1, 2005/ 1 <sup>er</sup> septembre 2005	250	0	3,905,323
14.	Conseil scolaire de district des écoles catholiques du Sud- Ouest	Woodstock	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	400	8,482,139
15.	Conseil scolaire de district du Centre Sud-ouest	London	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	600	12,854,376
16.	Conseil scolaire de district du Centre Sud-ouest	Sarnia	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	151	3,235,018
17.	Conseil scolaire de district du Centre Sud-Ouest	Orangeville	September 1, 2006/ 1 <sup>er</sup> septembre 2006	122	0	1,925,445
18.	Conseil scolaire de district du Centre Sud-Ouest	Pickering	September 1, 2007/ 1 <sup>er</sup> septembre 2007	500	0	7,891,168
19.	Conseil scolaire de district du Centre Sud-Ouest	Pickering	September 1, 2007/ 1 <sup>er</sup> septembre 2007	0	500	10,711,980
20.	Conseil scolaire de district du Centre Sud-Ouest	Richmond Hill	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	500	10,711,980
21.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2006/ 1 <sup>er</sup> septembre 2006	700	0	11,047,636
22.	Conseil scolaire de district du Centre Sud-Ouest	Toronto	September 1, 2007/ 1 <sup>er</sup> septembre 2007	700	0	11,047,636
23.	Conseil scolaire de district du Grand Nord de l'Ontario	Dubreuilville	September 1, 2006/ 1 <sup>er</sup> septembre 2006	0	240	6,453,422
24.	Conseil scolaire de district du Grand Nord de l'Ontario	Wawa	September 1, 2007/ 1 <sup>er</sup> septembre 2007	100	0	1,980,844
25.	Conseil scolaire de district du Nord-est de l'Ontario	Iroquois Falls	September 1, 2008/ 1 <sup>er</sup> septembre 2008	0	120	3,252,944
26.	Conseil scolaire de district du Nord-Est de l'Ontario	North Bay	September 1, 2003/ 1 <sup>er</sup> septembre 2003	325	500	17,494,607

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	Municipality or Former municipality/Municipalité ou ancienne municipalité	As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire	Amount/ Montant \$
27.	Conseil scolaire de district du Nord-Est de l'Ontario	Temiskaming Shores	September 1, 2004/ 1 <sup>er</sup> septembre 2004	200	0	3,744,823
28.	Conseil scolaire de district du Nord-Est de l'Ontario	Temiskaming Shores	September 1, 2006/ 1 <sup>er</sup> septembre 2006	225	0	4,493,135
29.	Conseil scolaire de district du Nord-Est de l'Ontario	Timmins	September 1, 2003/ 1 <sup>er</sup> septembre 2003	0	502	11,853,294

TABLE/TABLEAU 22

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE 1/ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N<sup>O</sup> 1)

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS/SIIS #	Elementary Schools/Écoles élémentaires	Secondary Schools/Écoles secondaires	Municipality/Municipalité
1.	Bluewater District School Board	652	Durham District Community S		West Grey
2.	Bluewater District School Board	5759		Warton DHS	South Bruce Peninsula
3.	Conseil scolaire de district catholique Centre-Sud	4148	Saint-François d'Assise		Welland
4.	Conseil scolaire de district catholique Centre-Sud	9722		ÉS Jean Vanier	Welland
5.	Conseil scolaire de district catholique des Aurores boréales	4199	Franco-Terrace, É.		Terrace Bay
6.	Conseil scolaire de district catholique des Grandes Rivières	7743		Jean-Vanier, É.s.	Kirkland Lake
7.	Conseil scolaire de district catholique du Nouvel-Ontario	6270		Former College Sacre Coeur	Greater Sudbury
8.	Conseil scolaire de district catholique Franco-Nord	3018		Algonquin, É.s.	North Bay
9.	Conseil scolaire de district du Grand Nord de l'Ontario	5831	Jean-Éthier-Blais, É.p.		Greater Sudbury
10.	Conseil scolaire de district du Nord-Est de l'Ontario	10308	Sacré-Cœur, É.sép.		Kapuskasing
11.	District School Board of Niagara	1756	Park PS		Grimsby
12.	District School Board Ontario North East	6467	G H Ferguson		Cochrane
13.	District School Board Ontario North East	7729		Kirkland Lake CVI	Kirkland Lake
14.	Durham Catholic District School Board	8789	St. Joseph C.S.		Oshawa
15.	Durham District School Board	1286	R A Sennett PS		Whitby
16.	Greater Essex County District School Board	849	Frank W Begley Public School		Windsor
17.	Huron Perth Catholic District School Board	3145	St Joseph Sep S		Central Huron
18.	Huron Perth Catholic District School Board	3433	St. Mary's Separate School		North Perth
19.	Kenora Catholic District School Board	3443	Mount Carmel Sep S		Kenora
20.	Kenora Catholic District School Board	8568	Our Lady of the Valley School		Kenora

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 SFIS/SIIS #	Column/Colonne 3 Elementary Schools/Écoles élémentaires	Column/Colonne 4 Secondary Schools/Écoles secondaires	Column/Colonne 5 Municipality/ Municipalité
21.	Near North District School Board	2231	Frank Casey PS		West Nipissing
22.	Ottawa Catholic District School Board	5815	Jean Vanier Catholic		Ottawa
23.	Renfrew County Catholic District School Board	3559	Our Lady of Sorrows Sep S		Petawawa
24.	Superior North Catholic District School Board	4230	St Martin		Terrace Bay
25.	Superior North Catholic District School Board	3908	St. Edward Separate School		Nipigon
26.	Thames Valley District School Board	5684		Strathroy CI	Strathroy-Caradoc
27.	Toronto Catholic District School Board	3572	Our Lady of Victory CS		Toronto
28.	Upper Canada District School Board	388	Central PS		Cornwall
29.	Upper Canada District School Board	5660		Smiths Falls District CI	Smiths Falls
30.	Upper Canada District School Board	6344	Escott PS		Front of Yonge
31.	Upper Canada District School Board	6346	Lansdowne PS		Leeds and the Thousand Islands
32.	Upper Canada District School Board	6929	William Hiscocks PS		Leeds and the Thousand Islands
33.	Upper Grand District School Board	1559	Mono-Amaranth PS		Orangeville
34.	York Catholic District School Board	3361	John XXIII Sep S		Markham
35.	York Catholic District School Board	4181	St Luke Sep S		Markham
36.	York Region District School Board	6368	George Bailey Building		Vaughan
37.	York Region District School Board	2552	Woodbridge PS		Vaughan

TABLE/TABLEAU 23

SCHOOLS FOR WHICH COST OF REPAIR IS PROHIBITIVE 2/ÉCOLES DONT LE COÛT DES RÉPARATIONS EST PROHIBITIF (N° 2)

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/ Colonne 2 SFIS No./N° du SIIS	Column/Colonne 3 Elementary School/École élémentaire	Column/Colonne 4 Secondary School/École secondaire	Column/Colonne 5 Municipality or Locality/ Municipalité ou localité	Column/Colonne 6 Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
1.	Algoma District School Board	5223		Bawating C & VS	Sault Ste. Marie	52,820,080
2.	Algoma District School Board	5645		Sir James Dunn C & VS	Sault Ste. Marie	
3.	Algoma District School Board	9573	Bawating C & V.S.		Sault Ste. Marie	
4.	Algoma District School Board	10893	Bawating Intermediate		Sault Ste. Marie	
5.	Algoma District School Board	848	Francis H Clergue Public School		Sault Ste. Marie	
6.	Algoma District School Board	2035	Rosedale Public School		Sault Ste. Marie	
7.	Algoma District School Board	7599		Hornepayne High School	Hornepayne	
8.	Algoma District School Board	7598		Hornepayne High School Annex	Hornepayne	



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SFIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
9.	Algonquin and Lakeshore Catholic District School Board	9229	Sacred Heart Catholic School Marmora		Marmora and Lake	9,374,708
10.	Algonquin and Lakeshore Catholic District School Board	9222	St. Michael CES		Belleville	
11.	Avon Maitland District School Board	1661	Arthur Meighen PS		St. Marys	4,831,328
12.	Avon Maitland District School Board	396	St. Mary's Central PS		St. Marys	
13.	Bluewater District School Board	1177	James A. Magee		Hanover	6,847,763
14.	Brant Haldimand Norfolk Catholic District School Board	3513	Our Lady of Fatima Sep School		Brantford	5,934,159
15.	Brant Haldimand Norfolk Catholic District School Board	4026	St. Jean de Brebeuf Sep S		Brantford	
16.	Bruce-Grey Catholic District School Board	3786		St. Mary's High School	Owen Sound	3,709,406
17.	Catholic District School Board of Eastern Ontario	4138	St. Joseph SS / Prescott		Prescott	9,958,654
18.	Catholic District School Board of Eastern Ontario	4222	St. Mark		Prescott	
19.	Catholic District School Board of Eastern Ontario	3368	St. Joseph Catholic School / Toledo		Elizabethtown - Kitley	
20.	Catholic District School Board of Eastern Ontario	9292	Mother Teresa Annex		Russell	
21.	Conseil de district des écoles publiques de langue française n° 59	1628	Ecole Madeleine- de-Roybon		Kingston	3,463,096
22.	Conseil scolaire de district catholique de l'Est ontarien	6204	Ecole St-Gregoire		Champlain	10,686,413
23.	Conseil scolaire de district catholique de l'Est ontarien	3627	Saint-Jean, E. Sep		Russell	
24.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	3430	École élémentaire Montfort		Ottawa	9,028,785
25.	Conseil scolaire de district catholique Franco-Nord	3628	Echo-jeunesse, E. Sep		West Nipissing	17,279,243
26.	Conseil scolaire de district catholique Franco-Nord	3663	St. Joseph		West Nipissing	
27.	Conseil scolaire de district catholique Franco Nord	4547	Ecole Saint-Anne		North Bay	
28.	Conseil scolaire de district catholique Franco Nord	4387	Ecole Saint Paul		North Bay	
29.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	4066	École St-jean- Baptiste		Amhurstburg	6,045,440
30.	Conseil scolaire de district du Grand Nord de l'Ontario	9946	École publique Camille-Perron (leased)		Markstay-Warren	2,812,799
31.	District School Board of Niagara	489	Colonel John Butler PS		Niagara-On-The- Lake	9,107,214
32.	District School Board of Niagara	2391	Virgil PS		Niagara-On-The- Lake	
33.	District School Board of Niagara	1923	Queen Mary Public School		St. Catharines	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
34.	Durham Catholic District School Board	8775	St. Bernadette CS		Ajax	8,904,137
35.	English-language Separate District School Board No. 38	3537	Our Lady of Lourdes Catholic Elementary School		Middlesex Centre	6,184,099
36.	Grand Erie District School Board	5304		Delhi District SS	Norfolk County	25,430,022
37.	Grand Erie District School Board	5243		Brantford Collegiate Institute & Vocational School	Brantford	
38.	Greater Essex County District School Board	7803		Leamington District SS	Leamington	30,980,472
39.	Greater Essex County District School Board	5358		Essex District HS	Essex	
40.	Greater Essex County District School Board	1163	J E Benson Public School		Windsor	
41.	Greater Essex County District School Board	1200	John Campbell Public School		Windsor	
42.	Halton Catholic District School Board	8104		St. Thomas Aquinas Catholic Secondary School	Oakville	14,284,098
43.	Halton District School Board	1314	Lakeshore PS		Burlington	3,188,676
44.	Hamilton-Wentworth Catholic District School Board	4496	St. Thomas CES		Hamilton	3,947,195
45.	Hamilton-Wentworth District School Board	8026	Lawfield		Hamilton	25,447,568
46.	Hamilton-Wentworth District School Board	8089	Vern Ames		Hamilton	
47.	Hamilton-Wentworth District School Board	8085	Stinson Street		Hamilton	
48.	Hamilton-Wentworth District School Board	8064	Queen Victoria		Hamilton	
49.	Hamilton-Wentworth District School Board	8075	Sanford Avenue		Hamilton	
50.	Huron-Superior Catholic District School Board	6326		Mount St. Joseph College	Sault Ste. Marie	1,626,562
51.	Huron-Superior Catholic District School Board	3781		St. Basil	Sault Ste. Marie	
52.	Kawartha Pine Ridge District School Board	86	Apsely PS		North Kawartha	8,897,110
53.	Kawartha Pine Ridge District School Board	405	Central PS		Port Hope	
54.	Kawartha Pine Ridge District School Board	1112	Howard Jordan PS		Port Hope	
55.	Kawartha Pine Ridge District School Board	2584	Youngs Point PS		Cramahe	
56.	Keewatin-Patricia District School Board	1740	Oxdrift PS		Dryden Locality Education (assessment roll numbers beginning with "6096")	1,275,954

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
57.	Kenora Catholic District School Board	10543	St. Thomas Aquinas Annex		Kenora	3,089,151
58.	Lakehead District School Board	7559		Hillcrest High School	Thunder Bay	26,590,633
59.	Lakehead District School Board	7594		Port Arthur Collegiate Institute	Thunder Bay	
60.	Lambton Kent District School Board	581	Devine Street School		Sarnia	7,286,125
61.	Lambton Kent District School Board	1221	Johnston Memorial School		Sarnia	
62.	Near North District School Board	5668		Almaguin Highland SS	South River	18,691,312
63.	Niagara Catholic District School Board	7973	St. Joseph		Grimsby	8,685,439
64.	Niagara Catholic District School Board	7980	Our Lady of Fatima		Grimsby	
65.	Nipissing-Parry Sound Catholic DSB	5985	St. Theresa Catholic School		East Ferris	12,162,827
66.	Nipissing-Parry Sound Catholic DSB	3652	Sacred Heart Separate School		North Bay	
67.	Nipissing-Parry Sound Catholic DSB	4114	St. Joseph Separate School		North Bay	
68.	Nipissing-Parry Sound Catholic DSB	3999	St. Hubert Separate School		North Bay	
69.	Ottawa-Carleton District School Board	819	Fitzroy Centennial Public School		Ottawa	6,709,747
70.	Ottawa-Carleton District School Board	10140	Fitzroy Harbour Public School		Ottawa	
71.	Ottawa-Carleton District School Board	1655	Kars Public School		Ottawa	
72.	Peel District School Board	1749	Palgrave PS		Caledon	11,804,544
73.	Peel District School Board	338	Castlemore PS		Brampton	
74.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9267	St. Mary's School		Port Hope	1,925,445
75.	Rainbow District School Board	996	Markstay Public School		Markstay-Warren	8,499,915
76.	Rainbow District School Board	9623	Warren Public School		Markstay-Warren	
77.	Rainbow District School Board	207	Val Caron Public School		Greater Sudbury	
78.	Rainbow District School Board	2360	Valleyview Public School		Greater Sudbury	
79.	Rainy River District School Board	9397	Alexander Mackenzie School		Fort Frances	15,349,466
80.	Rainy River District School Board	9380	J W Walker PS		Fort Frances	
81.	Rainy River District School Board	9378	F H Huffman PS		Fort Frances	
82.	Rainy River District School Board	9384	Robert Moore PS		Fort Frances	



Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SFIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
83.	Simcoe County District School Board	8151	King Edward PS		Barrie	33,756,449
84.	Simcoe County District School Board	8157	Mount Slaven PS		Orillia	
85.	Simcoe County District School Board	8165	Parkview PS		Midland	
86.	Simcoe County District School Board	8168	Prince of Wales PS		Barrie	
87.	Simcoe County District School Board	8171	Regent PS		Midland	
88.	Simcoe County District School Board	8207	David H. Church PS		Orillia	
89.	Simcoe County District School Board	8142	Hillcrest PS		Orillia	
90.	Simcoe County District School Board	8193	Baxter Annex		Essa	
91.	Simcoe Muskoka Catholic District School Board	8324	St. Paul's Alliston		New Tecumseth	9,144,720
92.	Simcoe Muskoka Catholic District School Board	8291		Holy Trinity SS	Bradford West Gwillimbury	
93.	St. Clair Catholic District School Board	3791	St. Benedict Catholic School		Samia	4,245,449
94.	Thames Valley District School Board	323	Caradoc South PS		Strathroy-Caradoc	14,153,720
95.	Thames Valley District School Board	630	Drumbo PS		Blandford-Blenheim	
96.	Thames Valley District School Board	1890	Princeton PS		Blandford-Blenheim	
97.	Thames Valley District School Board	5897	Elmdale PS		St. Thomas	
98.	Thames Valley District School Board	1599	Myrtle Street PS		St. Thomas	
99.	Thames Valley District School Board	2443	Wellington PS		St. Thomas	
100.	Thunder Bay Catholic District School Board	3653	Sacred Heart		Thunder Bay	8,309,883
101.	Thunder Bay Catholic District School Board	4500	St. Thomas Aquinas		Thunder Bay	
102.	Toronto Catholic District School Board	9512	St. Edward		Toronto	2,608,917
103.	Trillium Lakelands District School Board	1597	Muskoka Falls PS		Bracebridge	3,478,556
104.	Upper Canada District School Board	5716		Vankleek Hill C. I.	Champlain	10,821,286
105.	Upper Grand District School Board	1211	John McCrae PS		Guelph	16,762,241
106.	Upper Grand District School Board	1276	King George PS		Guelph	
107.	Upper Grand District School Board	2342	Tytler PS		Guelph	
108.	Upper Grand District School Board	1024	Harriston PS		Minto	

Item/ Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5	Column/Colonne 6
	Name of Board/Nom du conseil	SFIS No./N° du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Municipality or Locality/ Municipalité ou localité	Maximum Capital Amount Eligible for Long- term Financing/ Plafond des immobilisations donnant droit au financement à long terme \$
109.	Waterloo Region District School Board	2073	Ryerson		Cambridge	5,472,928
110.	Waterloo Region District School Board	829	Floradale		Woolwich	
111.	Wellington Catholic District School Board	4102	St. Joseph Elem.		Guelph	5,076,920
112.	York Catholic District School Board	3638	Holy Name Catholic Elementary School		King	6,828,276
113.	York Catholic District School Board	4252	St. Mary Immaculate School		Richmond Hill	
114.	York Region District School Board	5509		Markham District High School	Markham	34,551,242
115.	York Region District School Board	1285	King City PS		King	
116.	York Region District School Board	6351	Eva L. Building		King	

TABLE/TABLEAU 24

## OUTSTANDING CAPITAL COMMITMENTS/ENGAGEMENTS D'IMMOBILISATIONS NON RÉALISÉS

Item/ Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3
	Board Name/Nom du conseil	Pupil Places — Elementary/Places à l'élémentaire	Pupil Places — Secondary/Places au secondaire
1.	Bluewater District School Board	0	111
2.	Conseil scolaire de district catholique Centre-Sud	0	452
3.	Conseil scolaire de district catholique de l'Est ontarien	41	0
4.	Conseil scolaire de district du Centre Sud-Ouest	144	0
5.	District School Board Ontario North East	281	0
6.	Dufferin-Peel Catholic District School Board	274	0
7.	Durham Catholic District School Board	79	0
8.	Greater Essex County District School Board	0	122
9.	Hamilton-Wentworth Catholic District School Board	204	224
10.	Keewatin-Patricia District School Board	69	0
11.	Near North District School Board	681	0
12.	Ottawa-Carleton District School Board	0	107
13.	Peel District School Board	0	83
14.	Simcoe County District School Board	91	0
15.	Simcoe Muskoka Catholic District School Board	274	0
16.	Superior-Greenstone District School Board	0	80
17.	Toronto Catholic District School Board	0	25
18.	Upper Grand District School Board	0	188

TABLE/TABLEAU 25

CAPITAL RELATED DEBT ELIGIBLE FOR FUNDING SUPPORT BY DISTRICT SCHOOL BOARD/DETTE LIÉE  
AUX IMMOBILISATIONS ADMISSIBLE À UN SOUTIEN FINANCIER, PAR CONSEIL SCOLAIRE DE DISTRICT

Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Outstanding Principal as at August 31, 2001/Capital impayé au 31 août 2001	Column/Colonne 3
		Permanently Financed/Avec financement permanent \$	Non-permanently Financed/Sans financement permanent \$
1.	Algoma District School Board	935,011	0
2.	Algonquin and Lakeshore Catholic District School Board	4,534,944	10,286,245
3.	Avon Maitland District School Board	140,000	2,908,191
4.	Bluewater District School Board	7,057,791	10,584,205
5.	Brant Haldimand Norfolk Catholic District School Board	6,159,000	1,965,017
6.	Bruce-Grey Catholic District School Board	0	0
7.	Catholic District School Board of Eastern Ontario	5,113,271	5,138,565
8.	Conseil de district des écoles publiques de langue française n° 59	2,590,831	2,823,908
9.	Conseil scolaire de district catholique Centre-Sud	0	14,404,135
10.	Conseil scolaire de district catholique de l'Est ontarien	3,850,994	1,003,420
11.	Conseil scolaire de district catholique des Aurores boréales	0	0
12.	Conseil scolaire de district catholique des Grandes Rivières	3,327,994	391,453
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	13,648,851	11,237,346
14.	Conseil scolaire de district catholique du Nouvel-Ontario	792,253	629,797
15.	Conseil scolaire de district catholique Franco-Nord	0	1,416,482
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	0	13,125,508
17.	Conseil scolaire de district du Centre Sud-Ouest	4,107,626	7,652,471
18.	Conseil scolaire de district du Grand Nord de l'Ontario	0	0
19.	Conseil scolaire de district du Nord-Est de l'Ontario	0	1,561,697
20.	District School Board of Niagara	1,987,230	9,176,721
21.	District School Board Ontario North East	2,284,000	3,902,251
22.	Dufferin-Peel Catholic District School Board	15,560,434	45,225,666
23.	Durham Catholic District School Board	8,240,960	0
24.	Durham District School Board	30,619,000	0
25.	English-language Separate District School Board No. 38	13,163,955	5,331,454
26.	Grand Erie District School Board	6,515,674	3,520,453
27.	Greater Essex County District School Board	5,322,280	23,888,134
28.	Halton Catholic District School Board	29,596,207	635,900
29.	Halton District School Board	39,359,093	7,293,741
30.	Hamilton-Wentworth Catholic District School Board	30,542,204	14,110,520
31.	Hamilton-Wentworth District School Board	41,514,451	16,675,861
32.	Hastings and Prince Edward District School Board	0	0
33.	Huron Perth Catholic District School Board	0	1,823,717
34.	Huron-Superior Catholic District School Board	840,787	0
35.	Kawartha Pine Ridge District School Board	17,945,659	15,044,574
36.	Keewatin-Patricia District School Board	2,038,438	9,353,273
37.	Kenora Catholic District School Board	2,120,648	0
38.	Lakehead District School Board	13,846,787	1,329,751
39.	Lambton Kent District School Board	0	9,995,260
40.	Limestone District School Board	1,720,215	6,139,800
41.	Near North District School Board	991,784	5,277,832
42.	Niagara Catholic District School Board	37,971,903	1,576,995
43.	Nipissing-Parry Sound Catholic District School Board	3,157,000	0
44.	Northeastern Catholic District School Board	5,074,104	0
45.	Northwest Catholic District School Board	0	0
46.	Ottawa-Carleton District School Board	19,695,586	33,867,011
47.	Ottawa Catholic District School Board	23,375,000	4,537,537
48.	Peel District School Board	21,082,542	13,896,303
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	25,502,314	0
50.	Rainbow District School Board	990,000	0
51.	Rainy River District School Board	0	13,256,444



Item/ Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Outstanding Principal as at August 31, 2001/Capital impayé au 31 août 2001	Column/Colonne 3
		Permanently Financed/Avec financement permanent \$	Non-permanently Financed/Sans financement permanent \$
52.	Renfrew County Catholic District School Board	313,062	8,891,329
53.	Renfrew County District School Board	326,000	3,361,213
54.	Simcoe County District School Board	34,727,890	27,129,972
55.	Simcoe Muskoka Catholic District School Board	33,717,356	5,411,046
56.	St. Clair Catholic District School Board	16,408,300	2,663,378
57.	Sudbury Catholic District School Board	2,032,787	185,141
58.	Superior-Greenstone District School Board	380,796	1,718,287
59.	Superior North Catholic District School Board	789,499	0
60.	Thames Valley District School Board	25,868,077	107,065,578
61.	Thunder Bay Catholic District School Board	1,581,000	7,004,084
62.	Toronto Catholic District School Board	83,749,743	50,530,667
63.	Toronto District School Board	163,022,903	275,146,340
64.	Trillium Lakelands District School Board	26,528,182	7,875,676
65.	Upper Canada District School Board	13,087,000	0
66.	Upper Grand District School Board	8,046,000	11,377,073
67.	Waterloo Catholic District School Board	31,488,696	5,341,898
68.	Waterloo Region District School Board	13,089,250	1,407,664
69.	Wellington Catholic District School Board	8,264,313	0
70.	Windsor-Essex Catholic District School Board	21,728,370	21,647,385
71.	York Catholic District School Board	87,445,813	3,007,847
72.	York Region District School Board	66,296,399	11,433,816

TABLE/TABLEAU 26

PER PUPIL EXCLUSION FOR DECLINING ENROLMENT ADJUSTMENT/MONTANT PAR ÉLÈVE À EXCLURE DU  
REDRESSEMENT POUR BAISSÉ DES EFFECTIFS

Item/Point	Column/Colonne 1 Name of Board/Nom du conseil	Column/Colonne 2 Amount/Montant \$
1.	Algoma District School Board	95.39
2.	Algonquin and Lakeshore Catholic District School Board	89.45
3.	Avon Maitland District School Board	88.02
4.	Bluewater District School Board	88.23
5.	Brant Haldimand Norfolk Catholic District School Board	88.80
6.	Bruce-Grey Catholic District School Board	91.06
7.	Catholic District School Board of Eastern Ontario	87.99
8.	Conseil de district des écoles publiques de langue française n° 59	100.88
9.	Conseil scolaire de district catholique Centre-Sud	101.21
10.	Conseil scolaire de district catholique de l'Est ontarien	98.53
11.	Conseil scolaire de district catholique des Aurores boréales	135.63
12.	Conseil scolaire de district catholique des Grandes Rivières	109.43
13.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	98.95
14.	Conseil scolaire de district catholique du Nouvel-Ontario	106.21
15.	Conseil scolaire de district catholique Franco-Nord	106.42
16.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	103.05
17.	Conseil scolaire de district du Centre Sud-Ouest	106.94
18.	Conseil scolaire de district du Grand Nord de l'Ontario	119.94
19.	Conseil scolaire de district du Nord-Est de l'Ontario	115.39
20.	District School Board of Niagara	87.46
21.	District School Board Ontario North East	101.10
22.	Dufferin-Peel Catholic District School Board	86.30
23.	Durham Catholic District School Board	86.03
24.	Durham District School Board	86.30
25.	English-language Separate District School Board No. 38	85.36
26.	Grand Erie District School Board	87.52
27.	Greater Essex County District School Board	87.16
28.	Halton Catholic District School Board	86.41

Item/Point	Column/Colonne 1	Column/Colonne 2
	Name of Board/Nom du conseil	Amount/Montant \$
29.	Halton District School Board	86.39
30.	Hamilton-Wentworth Catholic District School Board	86.43
31.	Hamilton-Wentworth District School Board	87.28
32.	Hastings and Prince Edward District School Board	88.40
33.	Huron Perth Catholic District School Board	89.97
34.	Huron-Superior Catholic District School Board	99.02
35.	Kawartha Pine Ridge District School Board	86.11
36.	Keewatin-Patricia District School Board	99.54
37.	Kenora Catholic District School Board	99.56
38.	Lakehead District School Board	91.18
39.	Lambton Kent District School Board	87.50
40.	Limestone District School Board	88.42
41.	Near North District School Board	91.94
42.	Niagara Catholic District School Board	86.65
43.	Nipissing-Parry Sound Catholic District School Board	97.10
44.	Northeastern Catholic District School Board	104.50
45.	Northwest Catholic District School Board	113.38
46.	Ottawa Catholic District School Board	87.40
47.	Ottawa-Carleton District School Board	88.65
48.	Peel District School Board	88.15
49.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	87.42
50.	Rainbow District School Board	91.18
51.	Rainy River District School Board	102.65
52.	Renfrew County Catholic District School Board	94.65
53.	Renfrew County District School Board	89.89
54.	Simcoe County District School Board	86.14
55.	Simcoe Muskoka Catholic District School Board	85.82
56.	St. Clair Catholic District School Board	90.24
57.	Sudbury Catholic District School Board	93.86
58.	Superior North Catholic District School Board	131.34
59.	Superior-Greenstone District School Board	113.25
60.	Thames Valley District School Board	86.68
61.	Thunder Bay Catholic District School Board	92.43
62.	Toronto Catholic District School Board	87.30
63.	Toronto District School Board	89.69
64.	Trillium Lakelands District School Board	88.77
65.	Upper Canada District School Board	88.02
66.	Upper Grand District School Board	85.52
67.	Waterloo Catholic District School Board	87.19
68.	Waterloo Region District School Board	86.21
69.	Wellington Catholic District School Board	88.95
70.	Windsor-Essex Catholic District School Board	85.79
71.	York Catholic District School Board	87.53
72.	York Region District School Board	86.81

TABLE/TABLEAU 27  
ADDITIONAL RURAL SCHOOLS/ÉCOLES RURALES ADDITIONNELLES

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
1.	Algoma District School Board	114	Awere's 1 PS		Sault Ste. Marie
2.	Algoma District School Board	969	Greenwood PS		Sault Ste. Marie
3.	Algoma District School Board	1946	R M Moore PS		Sault Ste. Marie
4.	Algoma District School Board	2279	Tarentorus PS		Sault Ste. Marie
5.	Algonquin and Lakeshore Catholic District School Board	3302	Holy Name Catholic School		Kingston
6.	Avon Maitland District School Board	2585	Colborne Central S		Goderich



Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
7.	Avon Maitland District School Board	1652	North Easthope PS		Stratford
8.	Avon Maitland District School Board	2184	South Perth Centennial PS		St. Marys
9.	Bluewater District School Board	1265	Kincardine Township-Tiverton PS		Kincardine
10.	Brant Haldimand Norfolk Catholic District School Board	4318	St Michaels Sep		Simcoe
11.	Brant Haldimand Norfolk Catholic District School Board	4489	St Theresa Sep S		Brantford
12.	Catholic District School Board of Eastern Ontario	10624		Holy Trinity CHS	Cornwall
13.	Catholic District School Board of Eastern Ontario	4070		St. John CHS	Perth
14.	Conseil scolaire de district catholique Centre-Sud	8284	ÉEC Sainte-Croix		Tiny
15.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	6193		Beatrice-Desloges, E.s.c.	Cumberland
16.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10803	école Bernard-Grandmaître		Ottawa
17.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10144	Ecole élémentaire de la Découverte		Ottawa
18.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	10063	Pavillon Béatrice-Desloges		Orleans
19.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	9286	Monseigneur Augustin Caron		La Salle
20.	Conseil de district des écoles publiques de langue française n° 59	9869	É.é.p. Des Sentiers		Orleans
21.	Conseil de district des écoles publiques de langue française n° 59	9980		École secondaire publique Gisele Lalonde	Ottawa (Orléans)
22.	Conseil de district des écoles publiques de langue française n° 59	10480	Gisèle-Lalonde (7e & 8e année)		Ottawa (Orléans)
23.	District School Board of Niagara	774	F J Rutland PS		Niagara Falls
24.	Dufferin-Peel Catholic District School Board	3620		Robert F. Hall Catholic SS	Caledon East
25.	Dufferin-Peel Catholic District School Board	3874	St Cornelius S		Caledon East
26.	Dufferin-Peel Catholic District School Board	4357	St Patrick Sep S		Brampton
27.	Dufferin-Peel Catholic District School Board	4498		St Thomas Aquinas Sep S	Brampton
28.	Durham Catholic District School Board	9353	St. John Bosco		Oshawa
29.	Durham District School Board	1805	Claremont PS		Claremont
30.	Durham District School Board	9400	Epsom PS		Scugog
31.	Durham District School Board	512	Kedron PS		Oshawa
32.	Durham District School Board	1959	Prince Albert PS		Prince Albert
33.	Grand Erie District School Board	79	Anna Melick Memorial S		Dunnville
34.	Grand Erie District School Board	184	Bethel-Oak Hill PS		Paris
35.	Grand Erie District School Board	954	Grandview PS		Dunnville
36.	Grand Erie District School Board	1705	Oneida Central PS		Caledonia
37.	Grand Erie District School Board	403	Onondaga-Brant PS		Brantford
38.	Grand Erie District School Board	2416	Walsh Public School		Simcoe



Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
39.	Greater Essex County District School Board	77	Anderdon Central Public School		Amherstburg
40.	Greater Essex County District School Board	366	Colchester North Public School		Essex
41.	Greater Essex County District School Board	1430	Malden Central Public School		Amherstburg
42.	Greater Essex County District School Board	1574	Mount Carmel-Blytheswood Public School		Leamington
43.	Greater Essex County District School Board	1858	Prince Andrew Public School		La Salle
44.	Greater Essex County District School Board	7804		Sandwich Secondary School	La Salle
45.	Greater Essex County District School Board	2259	Sun Parlor Jr Public School		Essex
46.	Greater Essex County District School Board	7805		Western Secondary School	Amherstburg
47.	Halton Catholic District School Board	8135		Bishop P.F. Reding Secondary	Milton
48.	Halton District School Board	10469	Chris Hadfield Public School		Milton
49.	Halton District School Board	1817	Pineview PS		Georgetown
50.	Halton District School Board	2238	Stewarttown Md S		Georgetown
51.	Hamilton-Wentworth Catholic District School Board	10115	Guardian Angels Catholic Elementary School		Waterdown
52.	Hamilton-Wentworth Catholic District School Board	9410	Holy Name of Mary CES (new school)		Ancaster
53.	Hamilton-Wentworth District School Board	821	Flamborough Centre Senior PS		Hamilton
54.	Hastings and Prince Edward District School Board	72	Massassaga-Rednersville Public School		Belleville
55.	Kawartha Pine Ridge District School Board	371	Camborne PS		Cobourg
56.	Kawartha Pine Ridge District School Board	5301		Crestwood SS	Peterborough
57.	Kawartha Pine Ridge District School Board	552	Dale Road Sr S		Cobourg
58.	Kawartha Pine Ridge District School Board	882	George Hamilton PS		Port Hope
59.	Kawartha Pine Ridge District School Board	1186	James Strath PS		Peterborough
60.	Kawartha Pine Ridge District School Board	5806	Kent		Campbellford
61.	Keewatin-Patricia District School Board	7532	Valleyview P.S.		Kenora
62.	Lakehead District School Board	7553	Five Mile		Thunder Bay
63.	Lakehead District School Board	7556	Gorham & Ware		Thunder Bay
64.	Lakehead District School Board	7591	Nor'wester View		Thunder Bay
65.	Lakehead District School Board	7570	Valley Central PS		Thunder Bay
66.	Lambton Kent District School Board	493	Confederation Central S		Sarnia
67.	Limestone District School Board	992	H H Langford		Napanee
68.	Near North District School Board	9556	Humphrey Central PS		Parry Sound
69.	Near North District School Board	1499	McDougall PS		Parry Sound
70.	Ottawa-Carleton Catholic District School Board	3399	St Isidore Sep S		Kanata
71.	Ottawa-Carleton Catholic District School Board	3241	St Mary Sep S - Gloucester		Gloucester

Item/Point	Column/Colonne 1	Column/Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
72.	Ottawa-Carleton Catholic District School Board	10125	St. Theresa Catholic Elementary School		Ottawa
73.	Ottawa-Carleton District School Board	334	Castor Valley ES		Greely
74.	Ottawa-Carleton District School Board	1607	Cedarview Middle S		Nepean
75.	Ottawa-Carleton District School Board	548	D. Aubrey Moodie Intermediate S		Nepean
76.	Ottawa-Carleton District School Board	819	Fitzroy Centennial/Harbour PS		Kinburn
77.	Ottawa-Carleton District School Board	940	Goulbourn Middle S		Stittsville
78.	Ottawa-Carleton District School Board	1727	Greely PS		Greely
79.	Peel District School Board	64	Alloa PS		Brampton
80.	Peel District School Board	304	Alton PS		Caledon
81.	Peel District School Board	303	Caledon East PS		Caledon
82.	Peel District School Board	10490	Claireville P.S.		Brampton
83.	Peel District School Board	10402	Edenbrook Hill Public School		Brampton
84.	Peel District School Board	1417	Macville PS		Caledon
85.	Peel District School Board	1749	Palgrave PS		Palgrave
86.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	10037		St Thomas Aquinas Catholic	Lindsay
87.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	9256	St. Luke's School		Downeyville
88.	Rainbow District School Board	590	Wanup PS		Sudbury
89.	Renfrew County District School Board	20	Admaston PS		Renfrew
90.	Renfrew County District School Board	1509	McNab PS		Arnprior
91.	Renfrew County District School Board	1811	Pine View PS		Pembroke
92.	Renfrew County District School Board	56	Rockwood PS		Pembroke
93.	Simcoe County District School Board	8144	Hon. Earl Rowe PS		Bradford
94.	Simcoe County District School Board	8153	Marchmont PS		Orillia
95.	Simcoe County District School Board	8173	Sir William Osler PS		Bradford
96.	Simcoe County District School Board	8219	Uptergrove PS		Orillia
97.	Simcoe Muskoka Catholic District School Board	8298	Notre Dame		Orillia
98.	Simcoe Muskoka Catholic District School Board	8310	St Charles		Bradford
99.	St. Clair Catholic District School Board	4527	St. Vincent Catholic S		Chatham
100.	Sudbury Catholic District School Board	3766	St Christopher Sep S		Sudbury
101.	Thames Valley District School Board	22	Adelaide - W G MacDonald PS		Strathroy
102.	Thames Valley District School Board	322	Caradoc North PS		Strathroy
103.	Thames Valley District School Board	680	East Oxford PS		Woodstock
104.	Thames Valley District School Board	1535	Metcalf Central PS		Strathroy

Item/Point	Column/Colonne 1	Column/ Colonne 2	Column/Colonne 3	Column/Colonne 4	Column/Colonne 5
	Name of Board/Nom du conseil	SFIS No./ No du SIIS	Elementary School/École élémentaire	Secondary School/École secondaire	Location/Lieu
105.	Thames Valley District School Board	2578	New Sarum PS		St. Thomas
106.	Thames Valley District School Board	2194	Southwold PS		St. Thomas
107.	Thames Valley District School Board	1429	Summer's Corners PS		Aylmer
108.	Thames Valley District School Board	9932	Sweaburg PS		Woodstock
109.	Thames Valley District School Board	2314	Tollgate Central PS		Woodstock
110.	Trillium Lakelands District School Board	5892		Adult Ed. & Trg Centre (Lindsay C & VI Annex-Angeline Street South)	Lindsay
111.	Trillium Lakelands District School Board	274	Riverside PS		Huntsville
112.	Upper Canada District School Board	50	Algonquin Public School		Brockville
113.	Upper Canada District School Board	160	Beckwith PS		Carleton Place
114.	Upper Canada District School Board	631	Drummond Central PS		Perth
115.	Upper Canada District School Board	917	Glen Tay PS		Perth
116.	Upper Canada District School Board	10552	Montague Public School (New School)		Smiths Falls
117.	Upper Canada District School Board	737	North Elmsley PS		Perth
118.	Upper Grand District School Board	1899	Aberfoyle PS		Guelph
119.	Upper Grand District School Board	10487		Centre Wellington District High School	Fergus
120.	Upper Grand District School Board	9432	Laurelwoods ES		Laurel
121.	Upper Grand District School Board	1838	Ponsonby PS		Guelph
122.	Waterloo Region District School Board	829	Floradale PS		Elmira
123.	Windsor-Essex Catholic District School Board	4084	St Joseph Sep S		River Canard
124.	Windsor-Essex Catholic District School Board	4406	St Peter Sep S		Tecumseh
125.	Windsor-Essex Catholic District School Board	4571		St Thomas of Villanova SS	La Salle
126.	York Region District School Board	119	Ballantrae PS		Stouffville
127.	York Region District School Board	2490	Whitchurch Highlands PS		Stouffville



**ONTARIO REGULATION 86/08**

made under the

**EDUCATION ACT**

Made: April 3, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008**REVOKING VARIOUS REGULATIONS**

Note: Ontario Regulation 346/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

Note: Ontario Regulations 429/99, 627/99 and 165/00 have not previously been amended.

**1. The following Regulations are revoked:**

1. Ontario Regulation 346/98.
2. Ontario Regulation 429/99.
3. Ontario Regulation 627/99.
4. Ontario Regulation 165/00.

**RÈGLEMENT DE L'ONTARIO 86/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 3 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008**ABROGEANT DIVERS RÈGLEMENTS**

Remarque : Le Règlement de l'Ontario 346/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

Remarque : Les Règlements de l'Ontario 429/99, 627/99 et 165/00 n'ont pas été modifiés antérieurement.

**1. Les règlements suivants sont abrogés :**

1. Le Règlement de l'Ontario 346/98.
2. Le Règlement de l'Ontario 429/99.
3. Le Règlement de l'Ontario 627/99.
4. Le Règlement de l'Ontario 165/00.

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 3, 2008.  
Pris le : 3 avril 2008.

17/08

## **ONTARIO REGULATION 87/08**

made under the

### **EDUCATION ACT**

Made: April 2, 2008  
Filed: April 7, 2008  
Published on e-Laws: April 9, 2008  
Printed in *The Ontario Gazette*: April 26, 2008

### **REVOKING VARIOUS REGULATIONS**

Note: Ontario Regulations 157/02, 137/03, 139/03 and 145/04 have previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

Note: Ontario Regulations 152/01 and 143/04 have not previously been amended.

**1. The following Regulations are revoked:**

- 1. Ontario Regulation 152/01.**
- 2. Ontario Regulation 157/02.**
- 3. Ontario Regulation 137/03.**
- 4. Ontario Regulation 139/03.**
- 5. Ontario Regulation 143/04.**
- 6. Ontario Regulation 145/04.**

**2. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 87/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 2 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008**ABROGEANT DIVERS RÈGLEMENTS**

Remarque : Les Règlements de l'Ontario 157/02, 137/03, 139/03 et 145/04 ont été modifiés antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

Remarque : Les Règlements de l'Ontario 152/01 et 143/04 n'ont pas été modifiés antérieurement.

**1. Les règlements suivants sont abrogés :**

- 1. Le Règlement de l'Ontario 152/01.**
- 2. Le Règlement de l'Ontario 157/02.**
- 3. Le Règlement de l'Ontario 137/03.**
- 4. Le Règlement de l'Ontario 139/03.**
- 5. Le Règlement de l'Ontario 143/04.**
- 6. Le Règlement de l'Ontario 145/04.**

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

17/08

**ONTARIO REGULATION 88/08**

made under the

**EDUCATION ACT**

Made: April 1, 2008

Approved: April 2, 2008

Filed: April 7, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008**REVOKING VARIOUS REGULATIONS**

Note: Ontario Regulations 158/02, 138/03 and 144/04 have previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

Note: Ontario Regulation 153/01 has not previously been amended.

**1. The following Regulations are revoked:**

- 1. Ontario Regulation 153/01.**
- 2. Ontario Regulation 158/02.**
- 3. Ontario Regulation 138/03.**
- 4. Ontario Regulation 144/04.**

**2. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 88/08**

pris en application de la

**LOI SUR L'ÉDUCATION**pris le 1<sup>er</sup> avril 2008

approuvé le 2 avril 2008

déposé le 7 avril 2008

publié sur le site Lois-en-ligne le 9 avril 2008

imprimé dans la *Gazette de l'Ontario* le 26 avril 2008**ABROGEANT DIVERS RÈGLEMENTS**

Remarque : Les Règlements de l'Ontario 158/02, 138/03 et 144/04 ont été modifiés antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

Remarque : Le Règlement de l'Ontario 153/01 n'a pas été modifié antérieurement.

**1. Les règlements suivants sont abrogés :**

1. Le Règlement de l'Ontario 153/01.
2. Le Règlement de l'Ontario 158/02.
3. Le Règlement de l'Ontario 138/03.
4. Le Règlement de l'Ontario 144/04.

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:

Pris par :

*La ministre de l'Éducation,***KATHLEEN O'DAY WYNNE**  
*Minister of Education*

Date made: April 1, 2008.

Pris le : 1<sup>er</sup> avril 2008.

17/08

**ONTARIO REGULATION 89/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: January 29, 2008

Filed: April 8, 2008

Published on e-Laws: April 9, 2008

Printed in *The Ontario Gazette*: April 26, 2008Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraph 3 of Part 1 of Schedule 126 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and following substituted:**

**City of Hamilton  
Oxford – Township of Norwich**

3. That part of the King's Highway known as No. 403 lying between a point in the westbound lanes situate 400 metres measured easterly from its intersection with the roadway known as Longwood Road in the City of Hamilton and a point situate at its intersection with the King's Highway known as No. 401 in the Township of Norwich in the County of Oxford.
4. That part of the King's Highway known as No. 403 lying between a point in the eastbound lanes situate 280 metres measured westerly from the centre line of the overpass structure known as Canadian Pacific Railway in the City of Hamilton and a point situate at its intersection with the King's Highway known as No. 401 in the Township of Norwich in the County of Oxford.

**(2) Paragraph 1 of Part 2 of Schedule 126 to the Regulation is revoked and following substituted:**

**Regional Municipality of Halton – City of Burlington  
City of Hamilton**

1. That part of the westbound lanes of the King's Highway known as No. 403 in the City of Burlington in The Regional Municipality of Halton lying between a point situate 2000 metres measured westerly from its intersection with the roadway known as Waterdown Road and a point situate 400 metres measured easterly from its intersection with the roadway known as Longwood Road in the City of Hamilton.
2. That part of the eastbound lanes of the King's Highway known as No. 403 in the City of Burlington in The Regional Municipality of Halton lying between a point situate 2000 metres measured westerly from its intersection with the roadway known as Waterdown Road and a point situate 280 metres measured westerly from the centre line of the overpass structure known as the Canadian Pacific Railway in the City of Hamilton.

**2. This Regulation comes into force on the day it is filed.**

Made by:

**JIM BRADLEY**  
*Minister of Transportation*

Date made: January 29, 2008.

17/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—05—03

**ONTARIO REGULATION 90/08**

made under the

**ASSESSMENT ACT**

Made: April 15, 2008

Filed: April 16, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 282/98

(General)

Note: Ontario Regulation 282/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 282/98 is amended by adding the following section:**

**RESIDUAL COMMERCIAL PROPERTY CLASS**

**13.1** (1) For 2008 and subsequent years, the residual commercial property class applies within a municipality, the council of which is required to pass a by-law establishing tax ratios under section 308 of the *Municipal Act, 2001* or section 275 of the *City of Toronto Act, 2006*, only if the council has passed a by-law opting to have the residual commercial property class apply within the municipality.

(2) The residual commercial property class consists of land that would otherwise be in the commercial property class other than land in the office building property class, the shopping centre property class, the parking lots and vacant land property class or the professional sports facility property class whether or not the municipality had opted to have all or any of the property classes apply within the municipality.

(3) The council of a municipality that has passed a by-law opting to have the residual commercial property class apply may pass a by-law opting to have the class cease to apply; however, the by-law does not apply with respect to a taxation year unless the by-law is passed on or before the last day for passing a by-law opting to have the property class apply for that taxation year.

**2. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 15, 2008.

18/08

**ONTARIO REGULATION 91/08**

made under the

**ASSESSMENT ACT**

Made: April 15, 2008

Filed: April 16, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 173/07

(Deadline for 2007 for By-laws Adopting Optional Classes)

Note: Ontario Regulation 173/07 has not previously been amended.

1. The title of Ontario Regulation 173/07 is revoked and the following substituted:

**ANNUAL DEADLINES FOR BY-LAWS ADOPTING OPTIONAL CLASSES**

2. The Regulation is amended by adding the following section:

**Deadline**

1.1 For the 2008 taxation year, April 30, 2008 is prescribed as the later deadline for the purposes of clause 2 (3.2) (e) of the Act.

3. This Regulation comes into force on the day it is filed.

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 15, 2008.

18/08

**ONTARIO REGULATION 92/08**

made under the

**ELECTRICITY ACT, 1998**

Made: April 15, 2008

Filed: April 16, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 124/02

(Taxes and Charges on Hydro-Electric Generating Stations)

Note: Ontario Regulation 124/02 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Section 2 of Ontario Regulation 124/02 is amended by striking out “December 31, 2007” and substituting “December 31, 2008”.

2. This Regulation is deemed to have come into force on January 1, 2008.

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 15, 2008.

18/08

## ONTARIO REGULATION 93/08

made under the

### CITY OF TORONTO ACT, 2006

Made: April 15, 2008

Filed: April 16, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 121/07

(Traditional Municipal Taxes, Limits and Collection)

Note: Ontario Regulation 121/07 has not previously been amended.

**1. The Table to section 2 of Ontario Regulation 121/07 is amended by adding the following item:**

Residual commercial property class	0.6 to 1.1
------------------------------------	------------

**2. The Regulation is amended by adding the following section:**

**Transition ratio for residual commercial property class**

**2.1** For the purposes of subsection 275 (8) of the Act, the transition ratio for the residual commercial property class for the 2008 taxation year is 3.67373.

**3. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 15, 2008.

18/08



**ONTARIO REGULATION 94/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: March 31, 2008

Filed: April 16, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008Amending Reg. 599 of R.R.O. 1990  
(Highway Closings)

Note: Regulation 599 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Regulation 599 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

1. For the purposes of section 134 of the Act, a police officer may close a highway or any part thereof by either of the following methods:

1. By,
  - i. posting or causing to be posted a Do Not Enter sign as prescribed in subsection 2 (1) in such a manner that the sign faces approaching traffic and that the bottom edge of the sign is not less than one metre above the roadway, and
  - ii. placing or causing to be placed not fewer than three traffic control devices of the type prescribed in clause 2 (2) (a) or two traffic control devices of the type prescribed in clauses 2 (2) (b) and (c) in such a manner that the control devices stand in a line at right angles to approaching traffic with not more than one metre separating each pair of control devices.
2. By deploying or causing to be deployed across the roadway a highway ramp gate traffic control device as prescribed in subsection 2 (3) that was installed by the road authority having jurisdiction and control of the highway and locking it in place.

**2. (1) Subsection 2 (2) of the Regulation is revoked and the following substituted:**

(2) A traffic control device may,

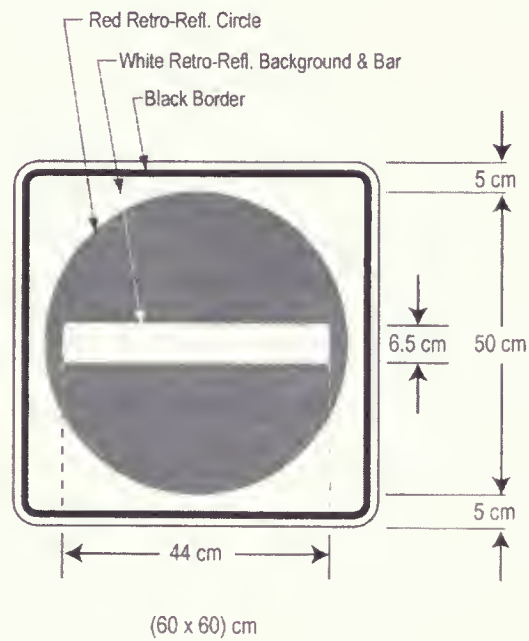
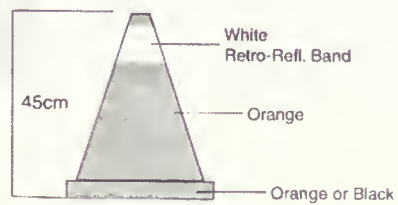
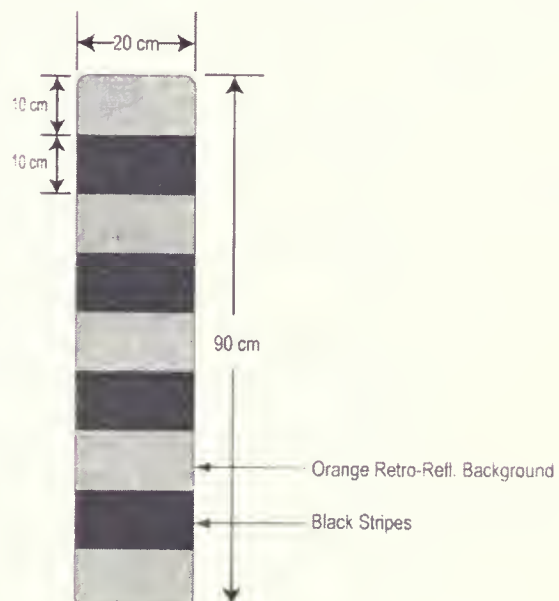
- (a) be conical in shape, not less than 45 centimetres in height, have a white retro-reflective collar and bear the markings and have the minimum dimensions as prescribed and illustrated in Figure 2;
- (b) be rectangular in shape, not less than 90 centimetres in height and not less than 20 centimetres in width and bear the markings and have the minimum dimensions as prescribed and illustrated in Figure 3;
- (c) be a barricade, not less than 100 centimetres in width and 100 centimetres in height and bear the markings and have the minimum dimensions as prescribed and illustrated in Figure 4; or
- (d) be rectangular in shape, not less than 20 centimetres in height and not less than 90 centimetres in width, with black bars on an orange retro-reflective background and bear the markings and have the minimum dimensions as prescribed and illustrated in Figure 5.

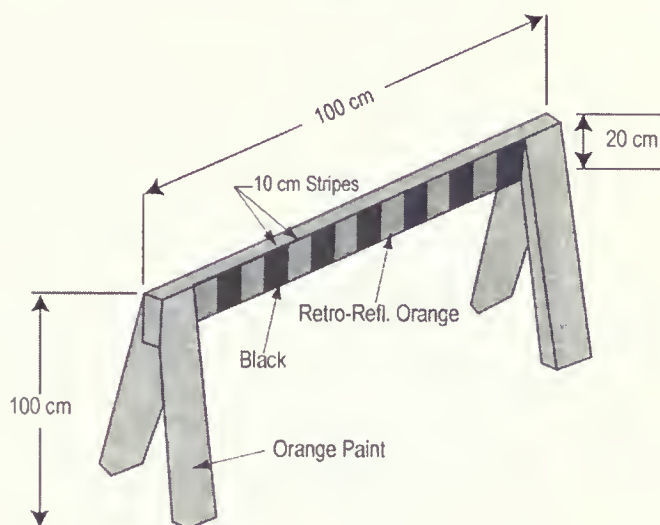
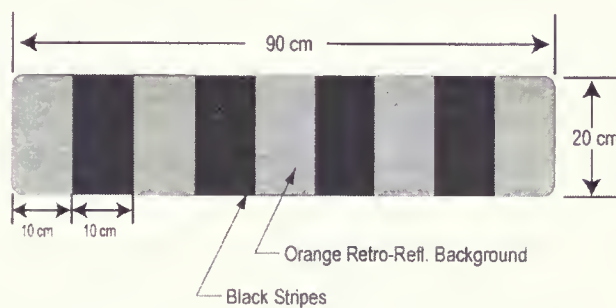
**(2) Section 2 of the Regulation is amended by adding the following subsection:**

(3) A highway ramp gate traffic control device shall,

- (a) be a barrier that extends across the width of the roadway when deployed such that it blocks vehicular access to the highway;
- (b) be capable of being locked in place;
- (c) have on it at least one Do Not Enter sign, as prescribed in subsection (1), in such a manner that the sign faces approaching traffic and the bottom edge of the sign is not less than one metre above the roadway; and
- (d) have at least two traffic control devices, as prescribed in clause (2) (d), on the same plane on either side of the Do Not Enter sign in such a manner that the long edges of the control devices are horizontal to the roadway and facing approaching traffic.

**(3) Figures 1, 2, 3 and 4 to section 2 of the Regulation are revoked and the following substituted:**

**Figure 1****Figure 2****Figure 3**

**Figure 4****Figure 5**

**3. This Regulation comes into force on the day it is filed.**

Made by:

**JIM BRADLEY**  
*Minister of Transportation*

Date made: March 31, 2008.

18/08



**ONTARIO REGULATION 95/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: March 5, 2008  
Filed: April 17, 2008  
Published on e-Laws: April 21, 2008  
Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 510/99  
(Community Safety Zones)

Note: Ontario Regulation 510/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 510/99 is amended by adding the following Schedule:**

**SCHEDULE 15**  
**TOWNSHIP OF CHAMPLAIN**

1. (1) That part of the King's Highway known as No. 34 in the Township of Champlain in the United Counties of Prescott and Russell lying between a point situate 187 metres measured northerly from its intersection with the centre line of the roadway known as Happy Hollow Road and a point situate at its intersection with the northerly limits of the Town of Vankleek Hill.

(2) This designation is effective 24 hours a day, seven days a week and every month of the year.

**2. This Regulation comes into force on the day it is filed.**

Made by:

**RICK BARTOLUCCI**  
*Minister of Community Safety and Correctional Services*

Date made: March 5, 2008.

18/08

**ONTARIO REGULATION 96/08**

made under the

**CONSOLIDATED HEARINGS ACT**

Made: April 2, 2008  
Filed: April 17, 2008  
Published on e-Laws: April 21, 2008  
Printed in *The Ontario Gazette*: May 3, 2008

Amending Reg. 171 of R.R.O. 1990  
(Aggregate Resources Act)

Note: Regulation 171 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 2 of Regulation 171 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:**

- (g) the proposed undertaking by Nelson Aggregate Co. to operate a quarry on land that,
    - (i) is located on Part Lots 17 and 18, Concession 2 N.D.S., in the City of Burlington in The Regional Municipality of Halton, and
    - (ii) is described as the Burlington Quarry Extension on a map that is available from the Environmental Assessment and Approvals Branch of the Ministry of the Environment, the original of which is filed in the office of the Director of that Branch and is identified by the stamp of the Registrar of Regulations dated January 11, 2007.
2. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 96/08

pris en application de la

### LOI SUR LA JONCTION DES AUDIENCES

pris le 2 avril 2008  
 déposé le 17 avril 2008  
 publié sur le site Lois-en-ligne le 21 avril 2008  
 imprimé dans la *Gazette de l'Ontario* le 3 mai 2008

modifiant le Règl. 171 des R.R.O. de 1990  
 (Loi sur les ressources en agrégats)

Remarque : Le Règlement 171 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. L'article 2 du Règlement 171 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :

- g) l'entreprise projetée par Nelson Aggregate Co., dans le but d'y exploiter une carrière sur les terrains qui sont :
  - (i) d'une part, situés sur les lots 17 et 18 de la concession 2 N.D.S. de la cité de Burlington dans la municipalité régionale de Halton,
  - (ii) d'autre part, appelés Burlington Quarry Extension sur une carte qui peut être obtenue de la Direction des évaluations et des autorisations environnementales du ministère de l'Environnement et dont l'original est déposé au bureau du directeur de cette direction et porte l'estampille du registrateur des règlements datée du 11 janvier 2007.

2. Le présent règlement entre en vigueur le jour de son dépôt.

18/08

## ONTARIO REGULATION 97/08

made under the

### ENERGY CONSERVATION LEADERSHIP ACT, 2006

Made: April 16, 2008  
 Filed: April 17, 2008  
 Published on e-Laws: April 21, 2008  
 Printed in *The Ontario Gazette*: May 3, 2008

### DESIGNATION OF GOODS, SERVICES AND TECHNOLOGIES

Designation of clotheslines etc.

1. The following are designated for the purposes of subsection 3 (1) of the Act:

1. Clotheslines.
2. Clothestrees.
3. Any goods and technologies that have a purpose that is the same as a clothesline or clothestree, and no other purpose.
4. Any equipment that is necessary for the proper installation and operation of anything that is designated under this section.

**Prescribed circumstances**

2. A person is permitted to install and use any goods or technologies designated in section 1, if the following circumstances apply:

1. The designated goods or technologies and any necessary equipment are installed on property upon which is situated a house or building that is used solely for residential occupancy and which is the person's place of residence.
2. The designated goods or technologies and any necessary equipment are installed in a manner so as to ensure that there are no impediments to safety, including, but not limited to, impediments to access to or egress from the house or building.
3. The designated goods or technologies and any necessary equipment are installed adjacent to the side or rear wall of the house or building so as to be useable by a person,
  - i. standing directly on the ground,
  - ii. standing on a deck or other fixed platform accessed directly from the ground floor of the house or building, if the deck or fixed platform is no higher than the floor level of the ground floor, or
  - iii. standing on a step-stool or similar device placed either directly on the ground or on a deck or other fixed platform accessed directly from the ground floor of the house or building, if the deck or fixed platform is no higher than the floor level of the ground floor.
4. The designated goods or technologies and any necessary equipment are installed in an area where the person has an exclusive right of use by virtue of their residency.

**Commencement**

3. This Regulation comes into force on the day it is filed.

18/08

## ONTARIO REGULATION 98/08

made under the

### MINISTRY OF GOVERNMENT SERVICES ACT

Made: April 16, 2008

Filed: April 18, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending O. Reg. 475/07

(Service Provider Organizations — ServiceOntario)

Note: Ontario Regulation 475/07 has not previously been amended.

**1. Ontario Regulation 475/07 is amended by adding the following sections:**

**DESIGNATED SERVICES — MINISTRY OF HEALTH AND LONG-TERM CARE**

**Health cards and organ donor registration**

1.1 The following actions are designated as services that ServiceOntario may provide to the public on behalf of the Minister of Health and Long-Term Care, the Ministry of Health and Long-Term Care and, where applicable, the General Manager for the Ontario Health Insurance Plan:

1. Health cards: accepting and processing applications for the issuance, replacement or renewal of a health card, changing information on a health card and accepting the return or surrender of a health card in accordance with the *Health Insurance Act* and the regulations made under it.



2. Organ donor registration: registering the organ donation preferences for clients with a health card in accordance with the *Trillium Gift of Life Network Act* and the regulations made under it.

#### Administrative services

1.2 The following administrative services otherwise provided by the Ministry of Health and Long-Term Care are designated as services which ServiceOntario may provide to the public on behalf of that Ministry and, where applicable, the General Manager for the Ontario Health Insurance Plan:

1. Providing information and responding to queries in relation to actions listed in section 1.1 and services listed in this section.
2. Accepting applications for programs related to the provision of insured services under the *Health Insurance Act* and the regulations made under it.
3. Updating databases that the Ministry maintains of personal information of health card holders.

**2. This Regulation comes into force on the day it is filed.**

18/08

## ONTARIO REGULATION 99/08

made under the

### HEALTH PROTECTION AND PROMOTION ACT

Made: April 16, 2008

Filed: April 18, 2008

Published on e-Laws: April 21, 2008

Printed in *The Ontario Gazette*: May 3, 2008

Amending Reg. 562 of R.R.O. 1990  
(Food Premises)

Note: Regulation 562 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Regulation 562 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**39.1** In sections 40 and 41,

“uninspected meat” means meat obtained from an animal that has not been inspected in accordance with Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada).

**2. Section 40 of the Regulation is amended by adding the following subsections:**

(2.1) Despite subsection (1), a food premise that falls within the definition of “meat plant” in Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* may have uninspected meat at the food premise if,

- (a) an approval has been issued under Part VIII.2 of that regulation for the uninspected meat to enter a meat plant as defined in that regulation;
- (b) a regional veterinarian has approved the food premise under Part VIII.3 of that regulation for the purposes of receiving the meat for the period of time that the meat is present on the premise; and
- (c) the uninspected meat is kept out of any part of the food premise where food is sold, served or offered for sale.

(2.2) Despite subsection (1), a food premise that falls within the definition of “meat plant” in Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* may have uninspected meat that is a hunted game carcass as defined in that regulation on the premise for the purposes of dressing, cutting, wrapping or freezing the carcass or processing hunted game products as defined in that regulation from it for the owner of the carcass if,

- (a) the premise has been approved under Part VIII.4 of that regulation for the purposes of receiving and processing hunted game carcasses; and
- (b) the uninspected meat is kept out of any part of the food premise where food is sold, served or offered for sale.

**3. This Regulation comes into force on May 1, 2008.**

18/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—05—10

**ONTARIO REGULATION 100/08**

made under the

**LAND REGISTRATION REFORM ACT**

Made: February 5, 2008  
Filed: April 21, 2008  
Published on e-Laws: April 21, 2008  
Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 16/99  
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:**

Column 1	Column 2
Bruce (No. 3)	November 27, 2006

**(2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:**

Column 1	Column 2
Bruce (No. 3)	April 21, 2008

Made by:

TED McMEEKIN  
*Minister of Government and Consumer Services*

Date made: February 5, 2008.

19/08

**ONTARIO REGULATION 101/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: April 16, 2008  
Filed: April 21, 2008  
Published on e-Laws: April 22, 2008  
Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 341/94  
(Driver Licence Examinations)

Note: Ontario Regulation 341/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 341/94 is amended by adding the following section:**

**2.1** An applicant for a Class A driver's licence shall be issued a Class A driver's licence subject to the condition described in section 3 of Ontario Regulation 340/94 (Drivers' Licences) made under the Act if,

- (a) subsection 2 (1) or (2) of this Regulation applies to the applicant; and
- (b) the applicant previously held a Class A driver's licence issued by Ontario and the last such Class A driver's licence held by the applicant was subject to that condition.

**2. This Regulation comes into force on the later of June 16, 2008 and the day this Regulation is filed.**

19/08

## ONTARIO REGULATION 102/08

made under the

### HIGHWAY TRAFFIC ACT

Made: April 16, 2008

Filed: April 21, 2008

Published on e-Laws: April 22, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending Reg. 574 of R.R.O. 1990

(Appeals)

Note: Regulation 574 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Regulation 574 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

1. In this Regulation,

“Board” means the Licence Appeal Tribunal.

1.1 A decision made by the Minister under subclause 32 (5) (b) (i) of the Act is prescribed as a kind of decision a person may appeal under section 50 of the Act.

**2. This Regulation comes into force on the later of June 16, 2008 and the day this Regulation is filed.**

## RÈGLEMENT DE L'ONTARIO 102/08

pris en application du

### CODE DE LA ROUTE

pris le 16 avril 2008

déposé le 21 avril 2008

publié sur le site Lois-en-ligne le 22 avril 2008

imprimé dans la *Gazette de l'Ontario* le 10 mai 2008

modifiant le Règl. 574 des R.R.O. de 1990

(Appels)

Remarque : Le Règlement 574 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 1 du Règlement 574 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :**

1. La définition qui suit s'applique au présent règlement.

«Commission» Le Tribunal d'appel en matière de permis.

**1.1** La décision que prend le ministre en vertu du sous-alinéa 32 (5) b) (i) du Code est prescrite comme genre de décision dont une personne peut interjeter appel en vertu de l'article 50 du Code.

**2. Le présent règlement entre en vigueur le dernier en date du 16 juin 2008 et du jour de son dépôt.**

19/08

## ONTARIO REGULATION 103/08

made under the

### EDUCATION ACT

Made: April 21, 2008

Filed: April 22, 2008

Published on e-Laws: April 23, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 400/98

(Tax Matters — Tax Rates for School Purposes)

Note: Ontario Regulation 400/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations — Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraph 5 of subsection 1 (1) of Ontario Regulation 400/98 is amended by striking out “and 2007” and substituting “2007 and 2008”.**

**(2) Subsection 1 (5) of the Regulation is amended by striking out “and 2007” and substituting “2007 and 2008”.**

**2. Subsection 2 (8) of the Regulation is amended by striking out “2007” and substituting “2008”.**

**3. Paragraph 8 of subsection 3 (2) of the Regulation is revoked and the following substituted:**

**8. For 2008, Table 20.**

**4. (1) Subsection 9 (8.1) of the Regulation is amended by striking out “2007” in the portion before paragraph 1 and substituting “2008”.**

**(2) Section 9 of the Regulation is amended by adding the following subsections:**

(8.2) Despite subsection (8.1), if a municipality set out in Table 18 passes a by-law opting to have one or more of the optional property classes in the commercial classes apply, for 2008, the annual tax rate for school purposes for the purposes of section 257.7 of the Act for the municipality are the following rates for the following classes of property:

1. For the office building property class, the annual tax rate is the rate in the column entitled “Office Building Property Class” in the Table set out opposite the name of the municipality.
2. For the shopping centre property class, the annual tax rate is the rate in the column entitled “Shopping Centre Property Class” in the Table set out opposite the name of the municipality.
3. For the parking lots and vacant land property class, the annual tax rate is the rate in the column entitled “Parking Lots and Vacant Land Property Class” in the Table set out opposite the name of the municipality.
4. For the resort condominium property class, the annual tax rate is the rate set out in subsection 1 (1) for residential property.
5. For the commercial class and all optional classes set out in the Table for which there is no rate set out in the column, the annual tax rate is the rate in the column entitled “Commercial Property Class” in the Table set out opposite the name of the municipality.

(8.3) Despite subsection (8.1), if a municipality set out in Table 19 passes a by-law opting to have the large industrial class apply, for 2008, the annual tax rate for school purposes for the purposes of section 257.7 of the Act for the municipality are the following rates for the following classes of property:

1. For the large industrial property class, the annual tax rate is the rate in the column entitled “Large Industrial Property Class” in the Table set out opposite the name of the municipality.
2. For the industrial class, the annual tax rate is the rate in the column entitled “Industrial Property Class” in the Table set out opposite the name of the municipality.



(3) Subsections 9 (9), (9.1), (10), (11) and (12) of the Regulation are revoked.

5. Section 9.1 of the Regulation is revoked.

6. Section 10 of the Regulation is revoked.

7. Paragraph 2 of section 13 of the Regulation is revoked.

8. Table 17 of the Regulation is revoked and the following substituted:

TABLE 17  
TAX RATES FOR BUSINESS PROPERTIES IN MUNICIPALITIES FOR 2008

Municipality	Tax Rate — Expressed as a Fraction of Assessed Value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Alberton, Township of	0.00997035	0.00748460	0.02750000
Armour, Township of	0.00883696	0.00383224	0.00692227
Armstrong, Township of	0.01728922	0.01927803	0.01241394
Assignack, Township of	0.01142233	0.00858747	
Atikokan, Township of	0.01655947	0.02396881	0.02750000
Baldwin, Township of	0.01317725	0.00596684	0.01163148
Barrie Island, Township of	0.00611094	0.01018575	
Barrie, City of	0.01558187	0.01634457	0.01295356
Belleville, City of	0.02123338	0.02380145	0.01605752
Billings, Township of	0.00896684	0.01426662	
Black River-Matheson, Township of	0.02238038	0.01964049	0.01020621
Blind River, Town of	0.02030558	0.01683678	0.02213933
Bonfield, Township of	0.01327791	0.01455214	0.00826202
Brant, County of	0.01856246	0.02615165	0.01934088
Brantford, City of	0.02015164	0.02796779	0.01611911
Brethour, Township of	0.01082192		0.02750000
Brockville, City of	0.02237747	0.02272573	0.01600506
Bruce, County of	0.01385620	0.02148133	0.01140825
Bruce Mines, Town of	0.01321101	0.01760924	0.00769774
Burk's Falls, Village of	0.01255810	0.01637156	0.01194827
Burpee and Mills, Township of	0.00675657		
Callander, Municipality of	0.01501980	0.01615156	0.01204943
Calvin, Township of	0.00662340	0.01758913	0.01167556
Carling, Township of	0.00641167	0.01014235	
Casey, Township of	0.01113605	0.02750000	
Central Manitoulin, Township of	0.00918382	0.01127311	
Chamberlain, Township of	0.00425779	0.00522605	0.01217728
Chapleau, Township of	0.01504108	0.01403516	
Chapple, Township of	0.00656732	0.00752392	0.02750000
Charlton and Dack, Municipality of	0.01579023	0.01597576	0.01186225
Chatham-Kent, Municipality of	0.01954309	0.02835033	0.01739021
Chisholm, Township of	0.00906364	0.00469440	
Cobalt, Town of	0.02350000		0.01434623
Cochrane, Town of	0.02149635	0.01344791	0.00956148
Cockburn Island, Township of			
Coleman, Township of	0.01909195	0.02750000	0.01319116
Conmee, Township of	0.01346762	0.01313154	
Cornwall, City of	0.02404563	0.02922061	0.01830846
Dawson, Township of	0.02350000	0.00843102	0.02750000
Dorion, Township of	0.02350000		0.02750000
Dryden, City of	0.01611608	0.02750000	0.01533603
Dubreuilville, Township of	0.01967794	0.02626635	
Dufferin, County of	0.01377850	0.02263342	0.01003718
Durham, Region of	0.01487553	0.01961500	0.01586577
Ear Falls, Township of	0.02037112	0.02750000	0.02673107
East Ferris, Township of	0.01019350	0.01323519	0.01964358
Elgin, County of	0.01440427	0.03000000	0.01213438

Municipality	Tax Rate — Expressed as a Fraction of Assessed Value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Elliot Lake, City of	0.02350000	0.02750000	0.00998754
Emo, Township of	0.01425849	0.01929798	0.02750000
Englehart, Town of	0.01686370	0.02386642	0.01958947
Espanola, Town of	0.01978932	0.02750000	0.01826073
Essex, County of	0.01541255	0.02478905	0.01935266
Evanturel, Township of	0.01305448	0.01035350	0.01324158
Fauquier-Strickland, Township of	0.01704849	0.01300856	0.00833858
Fort Frances, Town of	0.02350000	0.02180972	0.02099148
French River, Municipality of	0.01536043	0.01951066	
Frontenac, County of	0.01833581	0.02135579	
Gananoque, Separated Town of	0.02069057	0.02790892	0.01440965
Gauthier, Township of	0.01317948	0.01036665	
Gillies, Township of	0.01499333	0.01078387	
Gordon, Township of	0.01356845	0.00648623	
Gore Bay, Town of	0.01412498	0.00973844	
Greenstone, Municipality of	0.01482087	0.02250069	0.00374702
Grey, County of	0.01849190	0.02649556	0.01583249
Guelph, City of	0.01922244	0.02600416	0.02230980
Haldimand, County of	0.01822078	0.02555120	0.01942954
Haliburton, County of	0.01274688	0.01277204	
Halton, Region of	0.01374657	0.01923028	0.01402694
Hamilton, City of	0.01782538	0.01782538	0.01440769
Harley, Township of	0.01517404	0.02591980	
Harris, Township of	0.01713718	0.01219403	0.01293067
Hastings, County of	0.01180940	0.01477738	0.01265321
Hearst, Town of	0.01140754	0.01602219	0.00878308
Hilliard, Township of	0.01600000		0.02750000
Hilton Beach, Village of	0.01279747	0.01396500	
Hilton, Township of	0.01147741	0.00374522	
Hornepayne, Township of	0.01324204	0.01556541	
Hudson, Township of	0.01748548	0.01272845	0.00695719
Huron, County of	0.01237468	0.01428246	0.00517095
Huron Shores, Municipality of	0.01876462	0.01365684	0.01435166
Ignace, Township of	0.01602884	0.01136657	0.01226209
Iroquois Falls, Town of	0.02093199	0.02727760	0.00982455
James, Township of	0.02350000	0.01625375	
Jocelyn, Township of	0.01247232	0.00918098	
Johnson, Township of	0.01410888		0.00866607
Joly, Township of	0.01216388	0.01600000	
Kapuskasing, Town of	0.02135857	0.02750000	0.00957759
Kawartha Lakes, City of	0.01558070	0.02278500	0.02094968
Kearney, Town of	0.00861678	0.00787688	
Kenora, City of	0.01806418	0.02750000	0.01260183
Kerns, Township of	0.00862159		0.01042628
Killarney, Municipality of	0.00841095	0.01363752	
Kingston, City of	0.01973086	0.02654802	0.01788121
Kirkland Lake, Town of	0.02350000	0.02350287	0.01239079
La Vallee, Township of	0.01201546	0.01692656	0.02750000
Laird, Township of	0.01448083	0.00862662	
Lake of The Woods, Township of	0.01309458		
Lambton, County of	0.01892412	0.02874024	0.01470690
Lanark, County of	0.01694267	0.02815510	0.01980737
Larder Lake, Township of	0.01853097	0.01211063	
Latchford, Town of	0.02350000	0.01600000	0.01657184
Leeds and Grenville, County of	0.01661569	0.03000000	0.01897019
Lennox and Addington, County of	0.01923637	0.03000000	0.01545450
London, City of	0.02422537	0.02853974	0.01985488
Macdonald, Meredith and Aberdeen, Additional, Township of	0.01366180	0.01161570	0.01206539



Municipality	Tax Rate — Expressed as a Fraction of Assessed Value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Machar, Township of	0.01100492	0.00505559	0.00809081
Machin, Township of	0.01305847	0.00693647	0.01639605
Magnetawan, Municipality of	0.00903943	0.00719965	
Manitouwadge, Township of	0.02350000	0.02750000	
Marathon, Town of	0.02073289	0.02032768	
Markstay-Warren, Municipality of	0.01233759	0.00869094	0.02750000
Matachewan, Township of	0.02064990	0.02750000	
Mattawa, Town of	0.01449790	0.02257058	0.01306535
Mattawan, Township of	0.01967794		0.02561689
Mattice-Val Cote, Township of	0.01725425	0.02744549	0.00511370
McDougall, Township of	0.00792463	0.01746657	
McGarry, Township of	0.01537909	0.00400204	
McKellar, Township of	0.00848906	0.01042543	
McMurrich/Monteith, Township of	0.01187672	0.00390740	0.00123907
Middlesex, County of	0.01618295	0.02259521	0.01671949
Moonbeam, Township of	0.02350000	0.01422329	0.01304074
Moosonee, Town of	0.00768391	0.01452463	
Morley, Township of	0.01294758	0.00474741	0.02750000
Muskoka, District of	0.00791029	0.00971467	0.00534930
Nairn and Hyman, Township of	0.02216971	0.02563381	0.02750000
Neebing, Municipality of	0.00567111		0.02750000
Niagara, Region of	0.01592891	0.02566768	0.01532030
Nipigon, Township of	0.02350000	0.01603100	0.01817905
Nipissing, Township of	0.01216945	0.00242176	
Norfolk, County of	0.01929081	0.02609214	0.01785528
North Bay, City of	0.02237236	0.01859127	0.01289792
Northeastern Manitoulin and the Islands, Town of	0.01135424	0.01293836	
Northumberland, County of	0.01960491	0.03000000	0.01639394
O'Connor, Township of	0.01307607	0.01064871	
Oliver and Paipoonge, Township of	0.01844475	0.02750000	0.01773225
Opasatika, Township of	0.01309338	0.01461796	0.00639791
Orillia, City of	0.01706331	0.02053234	0.02422297
Ottawa, City of	0.01804184	0.02140489	0.01720286
Oxford, County of	0.02050838	0.02900428	0.01295267
Papineau-Cameron, Township of	0.01062388	0.01680589	0.00708660
Parry Sound, Town of	0.00904170	0.00769393	0.01417599
Peel, Region of	0.01553938	0.01777496	0.01616513
Pelee, Township of	0.01475949	0.01308286	
Pembroke, City of	0.02102293	0.02936287	0.01190104
Perry, Township of	0.01092183	0.00791968	0.00793242
Perth, County of	0.01473139	0.02238473	0.01801792
Peterborough, City of	0.01952795	0.02863185	0.01431035
Peterborough, County of	0.01437790	0.02326940	0.01358805
Pickle Lake, Township of	0.00647481	0.00113176	
Plummer, Additional, Township of	0.01218712	0.01671594	0.00997801
Powassan, Municipality of	0.01097084	0.01285461	0.01052330
Prescott and Russell, County of	0.01626539	0.02520084	0.01336388
Prescott, Separate Town of	0.01826007	0.02939997	0.01545734
Prince, Township of	0.01761197	0.01505653	
Prince Edward, County of	0.00935868	0.02040029	0.00621599
Quinte West, City of	0.01886751	0.02481479	0.01565232
Rainy River, Town of	0.01976921	0.02032768	0.02709124
Red Lake, Municipality of	0.02086026	0.02750000	
Red Rock, Township of	0.01758092	0.02750000	0.01475050
Renfrew, County of	0.01793299	0.02869205	0.01426809
Ryerson, Township of	0.00934511	0.01172390	
Sable-Spanish Rivers, Township of	0.01643248	0.01252909	
Sault Ste. Marie, City of	0.02067793	0.02750000	0.01733837



Municipality	Tax Rate — Expressed as a Fraction of Assessed Value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Schreiber, Township of	0.02350000		
Seguin, Township of	0.00711588	0.01293642	0.01285867
Shedden, Township of	0.01718008	0.01683057	
Shuniah, Township of	0.02350000	0.02750000	0.02750000
Simcoe, County of	0.01588125	0.02440180	0.01743895
Sioux Lookout, Municipality of	0.01549601	0.02750000	
Sioux Narrows-Nestors Falls, Township of	0.01307030	0.00857679	
Smiths Falls, Separated Town of	0.02162778	0.02686951	0.01606880
Smooth Rock Falls, Town of	0.02216986	0.02507510	0.01199524
South Algonquin, Township of	0.00600649	0.00854847	
South River, Village of	0.01133393	0.00780996	0.00458991
St. Joseph, Township of	0.00891436	0.01100555	
St. Marys, Separated Town of	0.01374948	0.02486552	0.01623295
St. Thomas, City of	0.01960690	0.02983262	0.01052247
St. Charles, Municipality of	0.00727572		0.02750000
Stormont, Dundas and Glengarry, County of	0.02022403	0.02879631	0.01411235
Stratford, City of	0.02269629	0.02940764	0.01404183
Strong, Township of	0.00884516	0.01234105	0.00748353
Sudbury, City of Greater	0.01976364	0.02750000	0.01558012
Sundridge, Village of	0.01074282	0.00972211	0.00792298
Tarbutt and Tarbutt, Additional, Township of	0.01320598	0.01645458	
Tehkummah, Township of	0.01180486	0.01063354	
Temagami, Municipality of	0.01968336	0.02750000	0.01165876
Temiskaming Shores, Town of	0.02350000	0.02235210	0.01000239
Terrace Bay, Township of	0.01987458	0.02750000	
The Archipelago, Township of	0.00754526	0.00929742	
The North Shore, Township of	0.02350000	0.01987148	
Thessalon, Town of	0.01442528	0.01482585	0.00764095
Thornloe, Village of	0.01109019	0.01896522	
Thunder Bay, City of	0.02350000	0.02750000	0.02389562
Timmins, City of	0.01867458	0.02750000	0.02226198
Toronto, City of	0.01968305	0.02050709	0.01798584
Val Rita-Harty, Township of	0.01930865	0.02032768	0.00827691
Waterloo, Region of	0.02032664	0.02596552	0.01307800
Wawa, Township of	0.02208319	0.01743967	
Wellington, County of	0.01319713	0.02350508	0.02014480
West Nipissing, Municipality of	0.01366638	0.01795688	0.02108470
White River, Township of	0.02350000	0.01846754	
Whitestone, Municipality of	0.00790551	0.00722464	
Windsor, City of	0.01800656	0.02859302	0.01859371
York, Region of	0.01492897	0.01656911	0.01752935

**9. Table 18 of the Regulation is revoked and the following substituted:**

TABLE 18

TAX RATES FOR BUSINESS PROPERTIES IN MUNICIPALITIES WITH OPTIONAL COMMERCIAL CLASSES FOR  
2008

Municipality	Tax Rate — Expressed as a Fraction of Assessed Value			
	Commercial Property Class	Office Building Property Class	Shopping Centre Property Class	Parking Lots and Vacant Land Property Class
Chatham-Kent, Municipality of	0.01942067	0.01571102	0.02241606	0.01304611
Espanola, Town of	0.01930410		0.02688826	
Essex, County of	0.01533367	0.01668541	0.01670548	0.00805601
Hamilton, City of	0.01782538	0.01782538	0.01782538	0.01782538
Kenora, City of	0.01762489	0.02129849	0.02504049	0.01460475

Municipality	Tax Rate — Expressed as a Fraction of Assessed Value			
	Commercial Property Class	Office Building Property Class	Shopping Centre Property Class	Parking Lots and Vacant Land Property Class
Lambton, County of	0.01837370	0.01734268	0.02352766	0.01236087
Lennox and Addington, County of	0.01902239	0.03855853	0.02471260	0.01157514
Marathon, Town of	0.02063712			0.01788165
Ottawa, City of	0.01744678	0.02107769	0.01453981	0.01145315
Owen Sound, City of	0.01827520	0.01632756	0.01982189	0.00913947
Sault Ste. Marie, City of	0.02029036	0.02963508	0.02153955	0.01507534
Smooth Rock Falls, Town of	0.02211650			0.02153629
Windsor, City of	0.01801653	0.01831864	0.01849936	0.00951118

**10. The Regulation is amended by adding the following Tables:**

TABLE 19

**TAX RATES FOR BUSINESS PROPERTIES IN MUNICIPALITIES WITH OPTIONAL INDUSTRIAL CLASSES FOR 2008**

Municipality	Tax Rate — Expressed as a Fraction of Assessed Value	
	Industrial Property Class	Large Industrial Property Class
Atikokan, Township of	0.01670866	0.02715539
Chatham-Kent, Municipality of	0.02624006	0.03153653
Dryden, City of	0.01698200	0.02812692
Dubreuilville, Township of	0.02020841	0.02638590
Elgin, County of	0.02565670	0.03265229
Espanola, Town of	0.01796322	0.02810903
Essex, County of	0.02251605	0.03113532
Fort Frances, Town of	0.01278696	0.02319821
Hamilton, City of	0.01782538	0.01782538
Hearst, Town of	0.01461959	0.01718669
Iroquois Falls, Town of	0.01507678	0.02895884
James, Township of	0.01600212	0.01625489
Kapuskasing, Town of	0.01707951	0.02919990
Kenora, City of	0.02182089	0.02838305
Lambton, County of	0.02294045	0.03365013
Leeds and Grenville, County of	0.02368393	0.03665557
Lennox and Addington, County of	0.02528338	0.03180812
Ottawa, City of	0.02294841	0.01970680
Owen Sound, City of	0.01777730	0.03068515
Powassan, Municipality of	0.01222387	0.01557899
Prescott and Russell, County of	0.02315882	0.03112013
Quinte West, City of	0.02442555	0.02611017
Red Lake, Municipality of	0.02652278	0.02764388
Renfrew, County of	0.02590981	0.03232432
Sault Ste. Marie, City of	0.02050528	0.02921839
Smooth Rock Falls, Town of	0.01843407	0.02518485
St. Thomas, City of	0.02606948	0.03132686
Stormont, Dundas and Glengarry, County of	0.02284694	0.04587524
Sudbury, City of Greater	0.02548443	0.02888524
Thessalon, Town of	0.00966169	0.01616874
Thunder Bay, City of	0.02581413	0.02791219
Timmins, City of	0.02300263	0.02863212
Windsor, City of	0.02405965	0.03214507



TABLE 20

## TAX RATES FOR BUSINESS PROPERTIES IN UNATTACHED UNORGANIZED TERRITORIES FOR 2008

Territory	Tax Rate — Expressed as a Fraction of Assessed Value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
<b>Nipissing, District of</b>			
Timiskaming Board of Education	0.01181962		0.01370354
Nipissing Combined School Boards	0.01190746	0.01546860	0.02517701
<b>Parry Sound, District of</b>			
South River Township School Authority	0.00976150		
West Parry Sound Board of Education	0.00790556	0.00649560	
East Parry Sound Board of Education	0.01209861	0.02087477	0.01214080
<b>Manitoulin, District of</b>			
Manitoulin Locality Education	0.01104099	0.00983112	
<b>Sudbury, District of</b>			
Sudbury Locality Education	0.01755630	0.02154608	
Espanola Locality Education	0.01388405	0.00712941	
Chapleau Locality Education	0.00964396	0.01275100	
Foleyet DSA Locality Education	0.01048025		
Gogama DSA Locality Education	0.00819532		
Asquith Garvey DSA Locality Education	0.00551335	0.01489127	
Missarenda DSA Locality Education	0.00594083	0.00306706	
<b>Timiskaming, District of</b>			
Kirkland Lake Locality Education	0.02155305	0.02750000	0.01713291
Timiskaming Locality Education	0.02280485	0.02750000	0.01649891
<b>Cochrane, District of</b>			
Hearst Locality Education	0.00972236	0.00900163	0.00631502
Kap SRF and District Locality Education	0.01794789	0.00416188	0.00830429
Cochrane-Iroquois Falls Locality Education	0.01289745	0.02032768	0.00863516
James Bay Lowlands Locality Education	0.02073339		
<b>Algoma, District of</b>			
Sault Ste. Marie Locality Education	0.02350000	0.02570715	0.01540873
<b>Thunder Bay, District of</b>			
Allanwater DSA Locality Education	0.00058935		
Nipigon Red Rock Locality Education	0.00369409		0.01832703
Lake Superior Locality Education	0.02350000	0.01915681	
Lakehead Locality Education	0.01799008	0.02750000	0.02653731
Auden DSA Locality Education	0.00580102		
Ferland DSA Locality Education	0.00708982		
Armstrong DSA Locality Education	0.00689808		
Savant Lake DSA Locality Education	0.00627864		
Upsala DSA Locality Education	0.00670301	0.00439392	0.00329879
<b>Rainy River, District of</b>			
Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5902")	0.00937141	0.01327601	
Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5903")	0.00787297	0.00939845	
Mine Centre DSA Locality Education	0.00345772	0.00243272	
Atikokan Locality Education	0.01907756	0.02750000	0.02750000
<b>Kenora, District of</b>			
Summer Beaver DSA Locality Education	0.00153702		
Kenora Locality Education	0.01881229	0.01481015	0.02369086
Dryden Locality Education (assessment roll numbers beginning with "6060")	0.01124528	0.01420203	0.01804765
Keewatin-Patricia District Locality Education	0.01071408		
Dryden Locality Education (assessment roll numbers beginning with "6093")	0.01657496		0.01638425
Red Lake Locality Education	0.01151189	0.01634337	0.01825955
Dryden Locality Education (assessment roll numbers beginning with "6096")	0.01320394	0.00903887	0.01993497
Sturgeon Lake Locality Education	0.00568333		



**11. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 21, 2008.

19/08

**ONTARIO REGULATION 104/08**

made under the

**PROVINCIAL LAND TAX ACT**

Made: April 21, 2008

Filed: April 22, 2008

Published on e-Laws: April 23, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 439/98

(Tax Rates under Section 21.1 of the Act)

Note: Ontario Regulation 439/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 6 (1) of Ontario Regulation 439/98 is amended by striking out “and 2007” and substituting “2007 and 2008”.**

**(2) Subsection 6 (2) of the Regulation is amended by striking out “and 2007” and substituting “2007 and 2008”.**

**2. The heading to Table 5 of the Regulation is amended by striking out “AND 2007” and substituting “2007 AND 2008”.**

**3. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 21, 2008.

19/08

**ONTARIO REGULATION 105/08**

made under the

**MUNICIPAL ACT, 2001**

Made: April 21, 2008

Filed: April 22, 2008

Published on e-Laws: April 23, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 73/03

(Tax Matters — Special Tax Rates and Limits, 2003 and Later Years)

Note: Ontario Regulation 73/03 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 3 (3.1) of Ontario Regulation 73/03 is amended by striking out “or 2007” and substituting “2007 or 2008”.**

**2. Subsection 22 (3) of the Regulation is revoked and the following substituted:**

(3) None of the following is eligible property for the purposes of section 331 of the Act:

1. Property that has been reclassified, if the property was subject to Part IX of the Act before the change in classification.
2. A severed parcel that is described in subsection 26 (2), (3) or (4).
3. A severed parcel that fails to satisfy the minimum size requirements for development under the relevant municipal zoning by-law.

**3. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 21, 2008.

19/08

**ONTARIO REGULATION 106/08**

made under the

**CITY OF TORONTO ACT, 2006**

Made: April 21, 2008

Filed: April 22, 2008

Published on e-Laws: April 23, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 121/07

(Traditional Municipal Taxes, Limits and Collection)

Note: Ontario Regulation 121/07 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 3 (4) of Ontario Regulation 121/07 is amended by striking out “2007” and substituting “2007 or 2008”.**

**2. Subsection 35 (3) of the Regulation is revoked and the following substituted:**

(3) None of the following is eligible property for the purposes of section 294 of the Act:

1. Property that has been reclassified, if the property was subject to Part XII of the Act before the change in classification.
2. A severed parcel that is described in subsection 23 (2), (3) or (4).
3. A severed parcel that fails to satisfy the minimum size requirements for development under the relevant municipal zoning by-law.

**3. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: April 21, 2008.

19/08

## ONTARIO REGULATION 107/08

made under the

### EDUCATION ACT

Made: April 16, 2008

Filed: April 23, 2008

Published on e-Laws: April 24, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 486/01

(Continuation, Areas of Jurisdiction and Names of District School Boards)

Note: Ontario Regulation 486/01 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Ontario Regulation 486/01 is amended by adding the following definition:**

“Ontario Regulation 185/97” means Ontario Regulation 185/97 as it read immediately before it was revoked; (“Règlement de l’Ontario 185/97”)

**2. Section 3 of the Regulation is amended by striking out “of the Schedule” and substituting “of Schedule 1”.**

**3. Section 6 of the Regulation is amended by striking out “of the Schedule” and substituting “of Schedule 1”.**

**4. Paragraph 12 of section 7 of the Regulation is amended by striking out “English-language Separate District School Board No. 38” in the portion before subparagraph i and substituting “London District Catholic School Board”.**

**5. Section 9 of the Regulation is amended by striking out “of the Schedule” and substituting “of Schedule 1”.**

**6. Paragraph 4 of section 10 of the Regulation is amended by striking out “Conseil de district des écoles publiques de langue française n° 59” in the portion before subparagraph i and substituting “Conseil des écoles publiques de l’Est de l’Ontario”.**

**7. Section 12 of the Regulation is amended by striking out “of the Schedule” and substituting “of Schedule 1”.**

**8. Section 14 of the Regulation is revoked and the following substituted:**

#### APPLICATION AND INTERPRETATION

**References to old names**

**14. (1)** A reference to a district school board using the name listed in Column 1 of Schedule 1 or 2 shall be construed as if it were a reference to the district school board using the name listed opposite in Column 2 of that Schedule.

(2) Subsection (1) applies to a reference in any document of legal effect made before the date listed in Column 3 of Schedule 1 or 2, as the case may be.



(3) For the purposes of subsection (2), a document includes but is not limited to a regulation, directive, order or agreement.

**9. The Schedule to the Regulation is revoked.**

**10. The Regulation is amended by adding the following Schedules:**

**SCHEDULE 1**  
**OLD NAMES ESTABLISHED BY ONTARIO REGULATION 185/97**

Item	Column 1 Old Name	Column 2 New Name	Column 3 Date
1.	English-language Public District School Board No. 1	District School Board Ontario North East	January 1, 1999
2.	English-language Public District School Board No. 2	Algoma District School Board	January 1, 1999
3.	English-language Public District School Board No. 3	Rainbow District School Board	January 1, 1999
4.	English-language Public District School Board No. 4	Near North District School Board	January 1, 1999
5.	English-language Public District School Board No. 5A	Keewatin-Patricia District School Board	January 1, 1999
6.	English-language Public District School Board No. 5B	Rainy River District School Board	January 1, 1999
7.	English-language Public District School Board No. 6A	Lakehead District School Board	January 1, 1999
8.	English-language Public District School Board No. 6B	Superior-Greenstone District School Board	January 1, 1999
9.	English-language Public District School Board No. 7	Bluewater District School Board	January 1, 1999
10.	English-language Public District School Board No. 8	Avon Maitland District School Board	January 1, 1999
11.	English-language Public District School Board No. 9	Greater Essex County District School Board	January 1, 1999
12.	English-language Public District School Board No. 10	Lambton Kent District School Board	January 1, 1999
13.	English-language Public District School Board No. 11	Thames Valley District School Board	January 1, 1999
14.	English-language Public District School Board No. 12	Toronto District School Board	January 1, 1999
15.	English-language Public District School Board No. 13	Durham District School Board	January 1, 1999
16.	English-language Public District School Board No. 14	Kawartha Pine Ridge District School Board	January 1, 1999
17.	English-language Public District School Board No. 15	Trillium Lakelands District School Board	January 1, 1999
18.	English-language Public District School Board No. 16	York Region District School Board	January 1, 1999
19.	English-language Public District School Board No. 17	Simcoe County District School Board	January 1, 1999
20.	English-language Public District School Board No. 18	Upper Grand District School Board	January 1, 1999
21.	English-language Public District School Board No. 19	Peel District School Board	January 1, 1999
22.	English-language Public District School Board No. 20	Halton District School Board	January 1, 1999
23.	English-language Public District School Board No. 21	Hamilton-Wentworth District School Board	January 1, 1999
24.	English-language Public District School Board No. 22	District School Board of Niagara	January 1, 1999
25.	English-language Public District School Board No. 23	Grand Erie District School Board	January 1, 1999
26.	English-language Public District School Board No. 24	Waterloo Region District School Board	January 1, 1999
27.	English-language Public District School Board No. 25	Ottawa-Carleton District School Board	January 1, 1999

Item	Column 1 Old Name	Column 2 New Name	Column 3 Date
28.	English-language Public District School Board No. 26	Upper Canada District School Board	January 1, 1999
29.	English-language Public District School Board No. 27	Limestone District School Board	January 1, 1999
30.	English-language Public District School Board No. 28	Renfrew County District School Board	January 1, 1999
31.	English-language Public District School Board No. 29	Hastings and Prince Edward District School Board	January 1, 1999
32.	English-language Separate District School Board No. 30A	Northeastern Catholic District School Board	January 1, 1999
33.	English-language Separate District School Board No. 30B	Nipissing-Parry Sound Catholic District School Board	January 1, 1999
34.	English-language Separate District School Board No. 31	Huron-Superior Catholic District School Board	January 1, 1999
35.	English-language Separate District School Board No. 32	Sudbury Catholic District School Board	January 1, 1999
36.	English-language Separate District School Board No. 33A	Northwest Catholic District School Board	January 1, 1999
37.	English-language Separate District School Board No. 33B	Kenora Catholic District School Board	January 1, 1999
38.	English-language Separate District School Board No. 34A	Thunder Bay Catholic District School Board	January 1, 1999
39.	English-language Separate District School Board No. 34B	Superior North Catholic District School Board	January 1, 1999
40.	English-language Separate District School Board No. 35	Bruce-Grey Catholic District School Board	January 1, 1999
41.	English-language Separate District School Board No. 36	Huron Perth Catholic District School Board	January 1, 1999
42.	English-language Separate District School Board No. 37	Windsor-Essex Catholic District School Board	January 1, 1999
43.	English-language Separate District School Board No. 38	London District Catholic School Board	April 23, 2008
44.	English-language Separate District School Board No. 39	St. Clair Catholic District School Board	January 1, 1999
45.	English-language Separate District School Board No. 40	Toronto Catholic District School Board	January 1, 1999
46.	English-language Separate District School Board No. 41	Peterborough Victoria Northumberland and Clarington Catholic District School Board	January 1, 1999
47.	English-language Separate District School Board No. 42	York Catholic District School Board	January 1, 1999
48.	English-language Separate District School Board No. 43	Dufferin-Peel Catholic District School Board	January 1, 1999
49.	English-language Separate District School Board No. 44	Simcoe Muskoka Catholic District School Board	January 1, 1999
50.	English-language Separate District School Board No. 45	Durham Catholic District School Board	January 1, 1999
51.	English-language Separate District School Board No. 46	Halton Catholic District School Board	January 1, 1999
52.	English-language Separate District School Board No. 47	Hamilton-Wentworth Catholic District School Board	January 1, 1999
53.	English-language Separate District School Board No. 48	Wellington Catholic District School Board	January 1, 1999
54.	English-language Separate District School Board No. 49	Waterloo Catholic District School Board	January 1, 1999
55.	English-language Separate District School Board No. 50	Niagara Catholic District School Board	January 1, 1999
56.	English-language Separate District School Board No. 51	Brant Haldimand Norfolk Catholic District School Board	January 1, 1999
57.	English-language Separate District School Board No. 52	Catholic District School Board of Eastern Ontario	January 1, 1999
58.	English-language Separate District School Board No. 53	Ottawa Catholic District School Board	January 1, 1999



Item	Column 1 Old Name	Column 2 New Name	Column 3 Date
59.	English-language Separate District School Board No. 54	Renfrew County Catholic District School Board	January 1, 1999
60.	English-language Separate District School Board No. 55	Algonquin and Lakeshore Catholic District School Board	January 1, 1999
61.	Conseil de district des écoles publiques de langue française n° 56	Conseil scolaire de district du Nord-Est de l'Ontario	January 1, 1999
62.	Conseil de district des écoles publiques de langue française n° 57	Conseil scolaire de district du Grand Nord de l'Ontario	January 1, 1999
63.	Conseil de district des écoles publiques de langue française n° 58	Conseil scolaire de district du Centre Sud-Ouest	January 1, 1999
64.	Conseil de district des écoles publiques de langue française n° 59	Conseil des écoles publiques de l'Est de l'Ontario	April 23, 2008
65.	Conseil de district des écoles séparées de langue française n° 60A	Conseil scolaire de district catholique des Grandes Rivières	January 1, 1999
66.	Conseil de district des écoles séparées de langue française n° 60B	Conseil scolaire de district catholique Franco-Nord	January 1, 1999
67.	Conseil de district des écoles séparées de langue française n° 61	Conseil scolaire de district catholique du Nouvel-Ontario	January 1, 1999
68.	Conseil de district des écoles séparées de langue française n° 62	Conseil scolaire de district catholique des Aurores boréales	January 1, 1999
69.	Conseil de district des écoles séparées de langue française n° 63	Conseil scolaire de district des écoles catholiques du Sud-Ouest	January 1, 1999
70.	Conseil de district des écoles séparées de langue française n° 64	Conseil scolaire de district catholique Centre-Sud	January 1, 1999
71.	Conseil de district des écoles séparées de langue française n° 65	Conseil scolaire de district catholique de l'Est ontarien	January 1, 1999
72.	Conseil de district des écoles séparées de langue française n° 66	Conseil scolaire de district catholique du Centre-Est de l'Ontario	January 1, 1999

**SCHEDULE 2  
OTHER OLD NAMES**

Item	Column 1 Old Name	Column 2 New Name	Column 3 Date
1.	Brant/Haldimand-Norfolk Catholic District School Board	Brant Haldimand Norfolk Catholic District School Board	January 1, 2002
2.	Ottawa-Carleton Catholic District School Board	Ottawa Catholic District School Board	March 27, 2007

**11. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 107/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 16 avril 2008

déposé le 23 avril 2008

publié sur le site Lois-en-ligne le 24 avril 2008

imprimé dans la *Gazette de l'Ontario* le 10 mai 2008

modifiant le Règl. de l'Ont. 486/01

(Prorogation, territoires de compétence et noms des conseils scolaires de district)

Remarque : Le Règlement de l'Ontario 486/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 1 du Règlement de l'Ontario 486/01 est modifié par adjonction de la définition suivante :**

«Règlement de l'Ontario 185/97» Le Règlement de l'Ontario 185/97 tel qu'il existait immédiatement avant son abrogation.  
(«Ontario Regulation 185/97»)



2. L'article 3 du Règlement est modifié par substitution de «de l'annexe 1» à «de l'annexe».
3. L'article 6 du Règlement est modifié par substitution de «de l'annexe 1» à «de l'annexe».
4. La disposition 12 de l'article 7 du Règlement est modifiée par substitution de «conseil appelé London District Catholic School Board» à «conseil appelé English-language Separate District School Board No. 38» dans le passage qui précède la sous-disposition i.
5. L'article 9 du Règlement est modifié par substitution de «de l'annexe 1» à «de l'annexe».
6. La disposition 4 de l'article 10 du Règlement est modifiée par substitution de «Conseil des écoles publiques de l'Est de l'Ontario» à «Conseil de district des écoles publiques de langue française n° 59» dans le passage qui précède la sous-disposition i.
7. L'article 12 du Règlement est modifié par substitution de «de l'annexe 1» à «de l'annexe».
8. L'article 14 du Règlement est abrogé et remplacé par ce qui suit :

## APPLICATION ET INTERPRÉTATION

## Mention des anciens noms

14. (1) La mention d'un conseil scolaire de district sous le nom qui figure dans la colonne 1 de l'annexe 1 ou 2 vaut mention de ce conseil sous le nom qui figure en regard dans la colonne 2.

(2) Le paragraphe (1) s'applique à toute mention qui est faite dans un document à valeur juridique avant la date indiquée dans la colonne 3 de l'annexe 1 ou 2, selon le cas.

(3) Pour l'application du paragraphe (2), un document s'entend notamment d'un règlement, d'une directive, d'une ordonnance, d'un ordre, d'une convention ou d'une entente.

9. L'annexe du Règlement est abrogée.

10. Le Règlement est modifié par adjonction des annexes suivantes :

ANNEXE 1  
ANCIENS NOMS CRÉÉS PAR LE RÈGLEMENT DE L'ONTARIO 185/97

Point	Colonne 1 Ancien nom	Colonne 2 Nouveau nom	Colonne 3 Date
1.	English-language Public District School Board No. 1	District School Board Ontario North East	1 <sup>er</sup> janvier 1999
2.	English-language Public District School Board No. 2	Algoma District School Board	1 <sup>er</sup> janvier 1999
3.	English-language Public District School Board No. 3	Rainbow District School Board	1 <sup>er</sup> janvier 1999
4.	English-language Public District School Board No. 4	Near North District School Board	1 <sup>er</sup> janvier 1999
5.	English-language Public District School Board No. 5A	Keewatin-Patricia District School Board	1 <sup>er</sup> janvier 1999
6.	English-language Public District School Board No. 5B	Rainy River District School Board	1 <sup>er</sup> janvier 1999
7.	English-language Public District School Board No. 6A	Lakehead District School Board	1 <sup>er</sup> janvier 1999
8.	English-language Public District School Board No. 6B	Superior-Greenstone District School Board	1 <sup>er</sup> janvier 1999
9.	English-language Public District School Board No. 7	Bluewater District School Board	1 <sup>er</sup> janvier 1999
10.	English-language Public District School Board No. 8	Avon Maitland District School Board	1 <sup>er</sup> janvier 1999
11.	English-language Public District School Board No. 9	Greater Essex County District School Board	1 <sup>er</sup> janvier 1999
12.	English-language Public District School Board No. 10	Lambton Kent District School Board	1 <sup>er</sup> janvier 1999
13.	English-language Public District School Board No. 11	Thames Valley District School Board	1 <sup>er</sup> janvier 1999
14.	English-language Public District School Board No. 12	Toronto District School Board	1 <sup>er</sup> janvier 1999
15.	English-language Public District School Board No. 13	Durham District School Board	1 <sup>er</sup> janvier 1999

Point	Colonne 1	Colonne 2	Colonne 3
	Ancien nom	Nouveau nom	Date
16.	English-language Public District School Board No. 14	Kawartha Pine Ridge District School Board	1 <sup>er</sup> janvier 1999
17.	English-language Public District School Board No. 15	Trillium Lakelands District School Board	1 <sup>er</sup> janvier 1999
18.	English-language Public District School Board No. 16	York Region District School Board	1 <sup>er</sup> janvier 1999
19.	English-language Public District School Board No. 17	Simcoe County District School Board	1 <sup>er</sup> janvier 1999
20.	English-language Public District School Board No. 18	Upper Grand District School Board	1 <sup>er</sup> janvier 1999
21.	English-language Public District School Board No. 19	Peel District School Board	1 <sup>er</sup> janvier 1999
22.	English-language Public District School Board No. 20	Halton District School Board	1 <sup>er</sup> janvier 1999
23.	English-language Public District School Board No. 21	Hamilton-Wentworth District School Board	1 <sup>er</sup> janvier 1999
24.	English-language Public District School Board No. 22	District School Board of Niagara	1 <sup>er</sup> janvier 1999
25.	English-language Public District School Board No. 23	Grand Erie District School Board	1 <sup>er</sup> janvier 1999
26.	English-language Public District School Board No. 24	Waterloo Region District School Board	1 <sup>er</sup> janvier 1999
27.	English-language Public District School Board No. 25	Ottawa-Carleton District School Board	1 <sup>er</sup> janvier 1999
28.	English-language Public District School Board No. 26	Upper Canada District School Board	1 <sup>er</sup> janvier 1999
29.	English-language Public District School Board No. 27	Limestone District School Board	1 <sup>er</sup> janvier 1999
30.	English-language Public District School Board No. 28	Renfrew County District School Board	1 <sup>er</sup> janvier 1999
31.	English-language Public District School Board No. 29	Hastings and Prince Edward District School Board	1 <sup>er</sup> janvier 1999
32.	English-language Separate District School Board No. 30A	Northeastern Catholic District School Board	1 <sup>er</sup> janvier 1999
33.	English-language Separate District School Board No. 30B	Nipissing-Parry Sound Catholic District School Board	1 <sup>er</sup> janvier 1999
34.	English-language Separate District School Board No. 31	Huron-Superior Catholic District School Board	1 <sup>er</sup> janvier 1999
35.	English-language Separate District School Board No. 32	Sudbury Catholic District School Board	1 <sup>er</sup> janvier 1999
36.	English-language Separate District School Board No. 33A	Northwest Catholic District School Board	1 <sup>er</sup> janvier 1999
37.	English-language Separate District School Board No. 33B	Kenora Catholic District School Board	1 <sup>er</sup> janvier 1999
38.	English-language Separate District School Board No. 34A	Thunder Bay Catholic District School Board	1 <sup>er</sup> janvier 1999
39.	English-language Separate District School Board No. 34B	Superior North Catholic District School Board	1 <sup>er</sup> janvier 1999
40.	English-language Separate District School Board No. 35	Bruce-Grey Catholic District School Board	1 <sup>er</sup> janvier 1999
41.	English-language Separate District School Board No. 36	Huron Perth Catholic District School Board	1 <sup>er</sup> janvier 1999
42.	English-language Separate District School Board No. 37	Windsor-Essex Catholic District School Board	1 <sup>er</sup> janvier 1999
43.	English-language Separate District School Board No. 38	London District Catholic School Board	23 avril 2008
44.	English-language Separate District School Board No. 39	St. Clair Catholic District School Board	1 <sup>er</sup> janvier 1999
45.	English-language Separate District School Board No. 40	Toronto Catholic District School Board	1 <sup>er</sup> janvier 1999
46.	English-language Separate District School Board No. 41	Peterborough Victoria Northumberland and Clarington Catholic District School Board	1 <sup>er</sup> janvier 1999



Point	Colonne 1	Colonne 2	Colonne 3
	Ancien nom	Nouveau nom	Date
47.	English-language Separate District School Board No. 42	York Catholic District School Board	1 <sup>er</sup> janvier 1999
48.	English-language Separate District School Board No. 43	Dufferin-Peel Catholic District School Board	1 <sup>er</sup> janvier 1999
49.	English-language Separate District School Board No. 44	Simcoe Muskoka Catholic District School Board	1 <sup>er</sup> janvier 1999
50.	English-language Separate District School Board No. 45	Durham Catholic District School Board	1 <sup>er</sup> janvier 1999
51.	English-language Separate District School Board No. 46	Halton Catholic District School Board	1 <sup>er</sup> janvier 1999
52.	English-language Separate District School Board No. 47	Hamilton-Wentworth Catholic District School Board	1 <sup>er</sup> janvier 1999
53.	English-language Separate District School Board No. 48	Wellington Catholic District School Board	1 <sup>er</sup> janvier 1999
54.	English-language Separate District School Board No. 49	Waterloo Catholic District School Board	1 <sup>er</sup> janvier 1999
55.	English-language Separate District School Board No. 50	Niagara Catholic District School Board	1 <sup>er</sup> janvier 1999
56.	English-language Separate District School Board No. 51	Brant Haldimand Norfolk Catholic District School Board	1 <sup>er</sup> janvier 1999
57.	English-language Separate District School Board No. 52	Catholic District School Board of Eastern Ontario	1 <sup>er</sup> janvier 1999
58.	English-language Separate District School Board No. 53	Ottawa Catholic District School Board	1 <sup>er</sup> janvier 1999
59.	English-language Separate District School Board No. 54	Renfrew County Catholic District School Board	1 <sup>er</sup> janvier 1999
60.	English-language Separate District School Board No. 55	Algonquin and Lakeshore Catholic District School Board	1 <sup>er</sup> janvier 1999
61.	Conseil de district des écoles publiques de langue française n° 56	Conseil scolaire de district du Nord-Est de l'Ontario	1 <sup>er</sup> janvier 1999
62.	Conseil de district des écoles publiques de langue française n° 57	Conseil scolaire de district du Grand Nord de l'Ontario	1 <sup>er</sup> janvier 1999
63.	Conseil de district des écoles publiques de langue française n° 58	Conseil scolaire de district du Centre Sud-Ouest	1 <sup>er</sup> janvier 1999
64.	Conseil de district des écoles publiques de langue française n° 59	Conseil des écoles publiques de l'Est de l'Ontario	23 avril 2008
65.	Conseil de district des écoles séparées de langue française n° 60A	Conseil scolaire de district catholique des Grandes Rivières	1 <sup>er</sup> janvier 1999
66.	Conseil de district des écoles séparées de langue française n° 60B	Conseil scolaire de district catholique Franco-Nord	1 <sup>er</sup> janvier 1999
67.	Conseil de district des écoles séparées de langue française n° 61	Conseil scolaire de district catholique du Nouvel-Ontario	1 <sup>er</sup> janvier 1999
68.	Conseil de district des écoles séparées de langue française n° 62	Conseil scolaire de district catholique des Aurores boréales	1 <sup>er</sup> janvier 1999
69.	Conseil de district des écoles séparées de langue française n° 63	Conseil scolaire de district des écoles catholiques du Sud-Ouest	1 <sup>er</sup> janvier 1999
70.	Conseil de district des écoles séparées de langue française n° 64	Conseil scolaire de district catholique Centre-Sud	1 <sup>er</sup> janvier 1999
71.	Conseil de district des écoles séparées de langue française n° 65	Conseil scolaire de district catholique de l'Est ontarien	1 <sup>er</sup> janvier 1999
72.	Conseil de district des écoles séparées de langue française n° 66	Conseil scolaire de district catholique du Centre-Est de l'Ontario	1 <sup>er</sup> janvier 1999

ANNEXE 2  
AUTRES ANCIENS NOMS

Point	Colonne 1	Colonne 2	Colonne 3
	Ancien nom	Nouveau nom	Date
1.	Brant/Haldimand-Norfolk Catholic District School Board	Brant Haldimand Norfolk Catholic District School Board	1 <sup>er</sup> janvier 2002
2.	Ottawa-Carleton Catholic District School Board	Ottawa Catholic District School Board	27 mars 2007



**11. Le présent règlement entre en vigueur le jour de son dépôt.**

19/08

**ONTARIO REGULATION 108/08**

made under the

**NORTHERN SERVICES BOARDS ACT**

Made: April 22, 2008

Filed: April 23, 2008

Published on e-Laws: April 24, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending Reg. 737 of R.R.O. 1990

(Local Services Boards)

Note: Regulation 737 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Section 53 of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked.

2. This Regulation comes into force on the day it is filed.

Made by:

MICHAEL JOHN GRAVELLE  
*Minister of Northern Development and Mines*

Date made: April 22, 2008.

19/08

**ONTARIO REGULATION 109/08**

made under the

**NORTHERN SERVICES BOARDS ACT**

Made: April 22, 2008

Filed: April 23, 2008

Published on e-Laws: April 24, 2008

Printed in *The Ontario Gazette*: May 10, 2008**ORDER FOR DISSOLUTION — LOCAL SERVICES BOARD OF SULTAN****Dissolution of Board, Board area**

1. The Local Services Board of Sultan and the Board area are hereby dissolved under section 32 of the Act.

**Delivery of documents and property**

2. Within 30 days of receiving a copy of this order, a member or secretary of the Board who held office at any time from October 1, 2006 to the date of the order, shall deliver to the Ministry of Northern Development and Mines, if required by the Ministry,

- (a) all Board documents, records and files, including minute books, by-laws, contracts, bank account records and any other financial books and records under the Board's care or control;

- (b) all property of the Board, including title to any real property; and
- (c) a certification in a form approved by the Ministry that all documents and property required by the Ministry that are under the Board's care or control have been delivered to the Ministry.

#### Assets held in trust

- 3. The Board's assets and liabilities are transferred in trust to the Ministry of Northern Development and Mines.

#### Ministry powers

4. (1) The Ministry has general supervision of the Board's assets and the power to do anything reasonably necessary to implement this order effectively, including,

- (a) identifying, seizing and disposing of the Board's assets;
- (b) using the proceeds of any sale of assets to make the payments listed in subsection (2);
- (c) appointing an agent or trustee to implement the order; and
- (d) doing anything else necessary to wind up the Board's affairs and activities.

(2) The proceeds mentioned in clause (1) (b) shall be used to pay the following, in the following order:

- 1. The agent or trustee, if any, for costs incurred in dealing with the assets.
- 2. The Board's creditors for any outstanding debts owed.
- 3. The Ministry's costs in implementing this order.

#### Publication

5. The Ministry shall publish an invitation to creditors of the Board to inform the Ministry of any claims or debts and shall do so in local newspapers in Chapleau and in other communities as may be considered appropriate.

#### Records and files to be kept

- 6. The records and files of the Board shall be kept by the Ministry for at least seven years from the date of this order.

#### Commencement

- 7. **This Regulation comes into force on the day it is filed.**

Made by:

MICHAEL JOHN GRAVELLE  
*Minister of Northern Development and Mines*

Date made: April 22, 2008.

19/08

## ONTARIO REGULATION 110/08

made under the

## HIGHWAY TRAFFIC ACT

Made: April 23, 2008

Filed: April 24, 2008

Published on e-Laws: April 24, 2008

Printed in *The Ontario Gazette*: May 10, 2008

Amending O. Reg. 340/94  
(Drivers' Licences)

Note: Ontario Regulation 340/94 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Subsection 2 (1) of Ontario Regulation 340/94 is amended by striking out "Subject to subsection (6) and sections 5, 6, 7, 8 and 25" at the beginning and substituting "Subject to subsection (6) and sections 3, 5, 6, 7, 8 and 25".

**2. The Regulation is amended by adding the following section:**

3. The Minister may, based on the results of an examination under clause 15 (1) (b) or (c), including the combination of vehicles driven during the examination by the holder of or applicant for a Class A driver's licence, impose a condition on the person's Class A driver's licence that the person not drive,

- (a) a combination of vehicles that constitutes a Class A vehicle consisting of a motor vehicle and more than one trailer; or
- (b) a combination of vehicles that constitutes a Class A vehicle consisting of,
  - (i) a motor vehicle, and
  - (ii) a single trailer that is equipped with air brakes.

**3. Subsection 23 (1) of the Regulation is revoked and the following substituted:**

(1) Subject to subsection (3), a Class A, B, C, D, E, F or G driver's licence is authority to drive on a highway any motor vehicle other than a motorcycle for the purpose of receiving instruction in driving it, as long as a person who holds a driver's licence authorizing the person to drive the motor vehicle occupies a seat beside the driver for the purpose of giving him or her instruction.

**4. This Regulation comes into force on the later of June 16, 2008 and the day this Regulation is filed.**

19/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).



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2008—05—17

**ONTARIO REGULATION 111/08**

made under the

**PUBLIC SERVICE OF ONTARIO ACT, 2006**

Made: April 2, 2008

Filed: April 29, 2008

Published on e-Laws: April 30, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending O. Reg. 373/07

(Oaths and Affirmations)

Note: Ontario Regulation 373/07 has not previously been amended.

**1. Section 4 of Ontario Regulation 373/07 is revoked and the following substituted:**

**Administration of oath or affirmation**

**4. (1)** Any of the persons described in Column 2 of the Table to this section is authorized to administer an oath or affirmation by a public servant who is appointed to a position described in Column 1 in the same row.

**(2)** In the Table to this section,

“appointed commissioner for taking affidavits” means a person who is appointed under subsection 4 (1) of the *Commissioners for taking Affidavits Act* as a commissioner for taking affidavits; (“commissaire aux affidavits nommé”)

“lawyer in the public service of Ontario” means a person employed as legal counsel,

- (a) under subsection 32 (1) of the Act to work in a ministry, other than in a minister’s office,
- (b) under subsection 32 (2) of the Act to work in a Commission public body, or
- (c) by a public body that is not a Commission public body. (“avocat de la fonction publique de l’Ontario”)

TABLE  
PERSONS AUTHORIZED TO ADMINISTER OATHS AND AFFIRMATIONS

Item	Column 1	Column 2
	Public servant making the oath or affirmation	Persons authorized to administer the oath or affirmation
1.	A public servant who works in a ministry, but not in a minister’s office	<ul style="list-style-type: none"> <li>• the deputy minister of the ministry,</li> <li>• a public servant who is employed under Part III of the Act and who exercises managerial functions in a ministry,</li> <li>• a lawyer in the public service of Ontario,</li> <li>• any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
2.	A public servant who works in a minister’s office	<ul style="list-style-type: none"> <li>• a minister,</li> <li>• a public servant who is employed under Part III of the Act and who exercises managerial functions in the Office of the Premier, the Cabinet Office or the minister’s office,</li> <li>• a lawyer in the public service of Ontario,</li> <li>• any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>

Item	Column 1	Column 2
	Public servant making the oath or affirmation	Persons authorized to administer the oath or affirmation
3.	A public servant, other than a government appointee, who works in a Commission public body	<ul style="list-style-type: none"> <li>the public servant's ethics executive as determined under subsection 62 (1) of the Act,</li> <li>a public servant who is employed under Part III of the Act and who exercises managerial functions in the Commission public body or in the ministry to whom the Commission public body reports,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
4.	A public servant, other than a government appointee, who works in a public body that is not a Commission public body	<ul style="list-style-type: none"> <li>the public servant's ethics executive as determined under subsection 62 (1) of the Act,</li> <li>a public servant who exercises managerial functions in the public body,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
5.	A government appointee to a public body	<ul style="list-style-type: none"> <li>the chair of the public body,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
6.	The chair of a public body	<ul style="list-style-type: none"> <li>a public servant employed under Part III of the Act who works in the Cabinet Office and who is an appointed commissioner for taking affidavits,</li> <li>a lawyer in the public service of Ontario.</li> </ul>

**2. This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 111/08

pris en application de la

### LOI DE 2006 SUR LA FONCTION PUBLIQUE DE L'ONTARIO

pris le 2 avril 2008

déposé le 29 avril 2008

publié sur le site Lois-en-ligne le 30 avril 2008

imprimé dans la *Gazette de l'Ontario* le 17 mai 2008

modifiant le Règl. de l'Ont. 373/07  
(Serments et affirmations solennelles)

Remarque : Le Règlement de l'Ontario 373/07 n'a pas été modifié antérieurement.

#### **1. L'article 4 du Règlement de l'Ontario 373/07 est abrogé et remplacé par ce qui suit :**

##### **Assermentation ou réception des affirmations solennelles**

**4. (1)** N'importe laquelle des personnes visées à la colonne 2 du tableau du présent article est habilitée à faire prêter serment aux fonctionnaires nommés à un poste visé à la colonne 1 de la même rangée ou à recevoir leur affirmation solennelle.

(2) Les définitions qui suivent s'appliquent au tableau du présent article.

«avocat de la fonction publique de l'Ontario» Personne employée comme conseiller juridique, selon le cas :

- aux termes du paragraphe 32 (1) de la Loi pour travailler dans un ministère, à l'exclusion du cabinet d'un ministre;
- aux termes du paragraphe 32 (2) de la Loi pour travailler dans un organisme public rattaché à la Commission;
- par un organisme public non rattaché à la Commission. («lawyer in the public service of Ontario»)

«commissaire aux affidavits nommé» Personne nommée commissaire aux affidavits en vertu du paragraphe 4 (1) de la *Loi sur les commissaires aux affidavits*. («appointed commissioner for taking affidavits»)



**TABEAU**  
**PERSONNES HABILITÉES À FAIRE PRÊTER SERMENT OU À RECEVOIR DES AFFIRMATIONS SOLENNELLES**

Point	Colonne 1	Colonne 2
	Fonctionnaires prêtant serment ou faisant l'affirmation solennelle	Personnes habilitées à faire prêter serment ou à recevoir l'affirmation solennelle
1.	Les fonctionnaires qui travaillent dans un ministère, à l'exclusion du cabinet d'un ministre	<ul style="list-style-type: none"> <li>• le sous-ministre du ministère,</li> <li>• les fonctionnaires employés aux termes de la partie III de la Loi qui sont cadres d'un ministère,</li> <li>• les avocats de la fonction publique de l'Ontario,</li> <li>• tout autre fonctionnaire qui est commissaire aux affidavits nommé.</li> </ul>
2.	Les fonctionnaires qui travaillent dans le cabinet d'un ministre	<ul style="list-style-type: none"> <li>• un ministre,</li> <li>• les fonctionnaires employés aux termes de la partie III de la Loi qui sont cadres du Cabinet du Premier ministre, du Bureau du Conseil des ministres ou du cabinet du ministre,</li> <li>• les avocats de la fonction publique de l'Ontario,</li> <li>• tout autre fonctionnaire qui est commissaire aux affidavits nommé.</li> </ul>
3.	Les fonctionnaires, autres que les personnes nommées par le gouvernement, qui travaillent dans un organisme public rattaché à la Commission	<ul style="list-style-type: none"> <li>• le responsable de l'éthique du fonctionnaire au sens du paragraphe 62 (1) de la Loi,</li> <li>• les fonctionnaires employés aux termes de la partie III de la Loi qui sont cadres de l'organisme public rattaché à la Commission ou du ministère dont il relève,</li> <li>• les avocats de la fonction publique de l'Ontario,</li> <li>• tout autre fonctionnaire qui est commissaire aux affidavits nommé.</li> </ul>
4.	Les fonctionnaires, autres que les personnes nommées par le gouvernement, qui travaillent dans un organisme public non rattaché à la Commission	<ul style="list-style-type: none"> <li>• le responsable de l'éthique du fonctionnaire au sens du paragraphe 62 (1) de la Loi,</li> <li>• les fonctionnaires qui sont cadres de l'organisme public,</li> <li>• les avocats de la fonction publique de l'Ontario,</li> <li>• tout autre fonctionnaire qui est commissaire aux affidavits nommé.</li> </ul>
5.	Les personnes nommées par le gouvernement à un organisme public	<ul style="list-style-type: none"> <li>• le président de l'organisme public,</li> <li>• les avocats de la fonction publique de l'Ontario,</li> <li>• tout autre fonctionnaire qui est un commissaire aux affidavits nommé.</li> </ul>
6.	Les présidents des organismes publics	<ul style="list-style-type: none"> <li>• les fonctionnaires employés aux termes de la partie III de la Loi qui travaillent dans le Bureau du Conseil des ministres et qui sont commissaires aux affidavits nommés.</li> <li>• les avocats de la fonction publique de l'Ontario.</li> </ul>

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

20/08

**ONTARIO REGULATION 112/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: May 1, 2008

Filed: May 1, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending O. Reg. 510/99

(Community Safety Zones)

Note: Ontario Regulation 510/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 510/99 is amended by adding the following Schedule:**

SCHEDULE 15  
TOWNSHIP OF SCUGOG

1. (1) That part of the King's Highway known as No. 12 in the Hamlet of Greenbank in the Township of Scugog lying between a point situate 800 metres measured southerly from its intersection with the centre line of the roadway known as Cragg Road and a point situate 700 metres measured northerly from its intersection with the centre line of the roadway known as Cragg Road.

(2) This designation is effective 24 hours a day, seven days a week and every month of the year.

**2. This Regulation comes into force on the day it is filed.**

Made by:

RICK BARTOLUCCI  
*Minister of Community Safety and Correctional Services*

Date made: May 1, 2008.

20/08

**ONTARIO REGULATION 113/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending Reg. 581 of R.R.O. 1990  
(Accessible Parking for Persons with Disabilities)

Note: Regulation 581 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 2 (1) of Regulation 581 of the Revised Regulations of Ontario, 1990 is amended by striking out the portion before paragraph 1 and substituting the following:**

(1) The Minister shall issue a disabled person parking permit for general use to every individual who applies for it on a form provided by the Ministry, if a regulated health practitioner certifies the following on the form:

. . . . .

**(2) Section 2 of the Regulation is amended by adding the following subsection:**

(5.1) The Minister shall issue a disabled person parking permit for use on a motorcycle or motor assisted bicycle to every individual who applies for it and who,

- (a) owns or leases a motorcycle or motor assisted bicycle;
- (b) holds a Class M or M2 driver's licence; and
- (c) holds an unexpired disabled person parking permit for general use that was issued as provided by clause 5 (1) (a) or (c).

**(3) Subsection 2 (6) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

(6) The Minister shall issue disabled person parking permits, other than traveller permits or disabled person parking permits for use on a motorcycle or motor assisted bicycle,

. . . . .

**2. Section 3 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

**3. The Minister shall issue a disabled person parking permit for general use to a visitor to Ontario, if the visitor,**

. . . . .

**3. Subsection 5 (1) of the Regulation is amended by striking out “and” at the end of clause (d) and by adding the following clause:**

(f) if it is a permit for use on a motorcycle or motor assisted bicycle, for the period ending on the earlier of the date of expiry on the permit, if any, and the date of expiry of the individual’s disabled person parking permit for general use.

**4. (1) Subsection 6 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

(2) A disabled person parking permit issued to an individual is not valid when it is displayed on a vehicle if,

. . . . .

**(2) Subsection 6 (3) of the Regulation is revoked and the following substituted:**

(3) A disabled person parking permit issued to a corporation or an organization is not valid when it is displayed on a vehicle if the vehicle is not being used to pick up or transport a person with a disability.

(4) A disabled person parking permit issued under subsection 2 (5.1) for use on a motorcycle or motor assisted bicycle is not valid when it is displayed on a motorcycle or motor assisted bicycle,

(a) in a circumstance described in clause (2) (a);

(b) if the person to whom it was issued does not also have the disabled person parking permit for general use that was issued to him or her under subsection 2 (1) with him or her; or

(c) if the person to whom it was issued does not hold a valid Class M or M2 driver’s licence.

**5. Section 7 of the Regulation is revoked and the following substituted:**

7. (1) Subject to subsection (2), a disabled person parking permit shall be displayed on the sun visor or on the dashboard of a vehicle so that the international symbol of access for persons with a disability, the permit number and the expiry date of the permit are clearly visible from the outside of the vehicle.

(2) If the vehicle is a motorcycle or motor assisted bicycle, a disabled person parking permit issued under subsection 2 (5.1) shall be displayed on the top left corner of the number plate on the vehicle.

**6. Section 9 of the Regulation is amended by adding the following subsection:**

(3) An expired disabled person parking permit for use on a motorcycle or motor assisted bicycle shall be removed from and not displayed on any motorcycle or motor assisted bicycle.

**7. This Regulation comes into force on the later of May 26, 2008 and the day this Regulation is filed.**

20/08

## ONTARIO REGULATION 114/08

made under the

### HIGHWAY TRAFFIC ACT

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending Reg. 611 of R.R.O. 1990

(Safety Inspections)

Note: Regulation 611 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Regulation 611 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:**



“motor tricycle” means a motorcycle that,

- (a) is designed to travel on three wheels in contact with the ground,
- (b) has seating on which all occupants must sit astride,
- (c) has not more than four designated seating positions,
- (d) has a manufacturer’s gross vehicle weight rating of 1,000 kilograms or less,
- (e) has a minimum wheel rim diameter of 250 millimetres,
- (f) has a minimum wheel base of 1,016 millimetres, and
- (g) does not have a structure partially or fully enclosing the driver and passenger, other than that part of the vehicle forward of the driver’s torso and the seat backrest;

**2. Section 5 of the Regulation is revoked and the following substituted:**

5. A safety standards certificate shall not be issued in respect of a motorcycle, other than a motorcycle with two front wheels, unless the motorcycle has been inspected in accordance with the inspection requirements and complies with the performance standards in Schedule 6.

**3. The Regulation is amended by adding the following sections:**

5.1 A safety standards certificate shall not be issued in respect of a motorcycle with two front wheels, unless it is a motor tricycle that has been inspected in accordance with the inspection requirements and complies with the performance standards in Schedule 6.1.

5.2 For the purpose of determining the number of wheels on the front of a motorcycle referred to in sections 5 and 5.1, two wheels are considered to be one wheel if they are mounted on the same axle and the distance between the centres of their areas of contact with the ground is less than 460 millimetres.

**4. (1) The heading to Schedule 6 to the Regulation is revoked and the following substituted:**

SCHEDULE 6  
INSPECTION REQUIREMENTS AND PERFORMANCE STANDARDS FOR MOTORCYCLES EXCEPT  
MOTORCYCLES WITH TWO FRONT WHEELS

**(2) Section 1 of Schedule 6 to the Regulation is amended by adding the following subsections:**

- (1.1) A motor tricycle shall not have more seating positions than it had when originally manufactured.
- (1.2) A motor tricycle originally manufactured for sale in Canada shall not have more than two seating positions unless the motor tricycle,
  - (a) was originally manufactured with more than two seating positions; and
  - (b) bears the manufacturer’s compliance label issued under section 6 of the Motor Vehicle Safety Regulations (Canada) specifying the type of vehicle as “TRI” for motor tricycle.
- (1.3) An imported motor tricycle shall not have more than two seating positions unless the motor tricycle,
  - (a) was originally manufactured as a motor tricycle with more than two seating positions; and
  - (b) bears a compliance label or other label to prove conformity as provided for in section 12 of the Motor Vehicle Safety Regulations (Canada).

**(3) Subsections 1 (7) and (8) of Schedule 6 to the Regulation are revoked and the following substituted:**

(7) No guard, where originally fitted, that protects against contact with the chain, belt or other moving drive component shall be missing or insecurely mounted.

(8) The chain, belt or driven sprocket shall not be excessively worn, frayed or loose and no fasteners in connection with those parts shall be missing, loose, cut or damaged.

**(4) Section 1 of Schedule 6 to the Regulation is amended by adding the following subsection:**

(9.1) A motor tricycle shall meet the requirements of clauses (9) (a) and (b) and shall be fitted with at least two mirrors that conform to the requirements set out in Canada Motor Vehicle Safety Standard 111 under the Motor Vehicle Safety Regulations (Canada).

**5. (1) Section 2 of Schedule 6 to the Regulation is amended by adding the following subsections:**

(4.1) A motorcycle shall be equipped with two independently actuated service brake systems, one applying at least the front wheel brakes and the other applying at least the rear wheel brakes, unless the motorcycle was manufactured solely with a split-service brake system, within the meaning of Canada Motor Vehicle Safety Standard 122 of the Motor Vehicle Safety Regulations (Canada), and the split-service brake system,

- (a) met the requirements of that Standard at the time it was manufactured;
- (b) has a single actuator; and
- (c) has been maintained in its original condition.

(5.1) In the case of a motor tricycle originally equipped with an anti-lock type braking system, there shall be no indication of malfunction of the system, including those parts of the system designed to advise the rider of system status or to warn of a malfunction.

**(2) Section 2 of Schedule 6 to the Regulation is amended by adding the following subsection:**

(7.1) Every motor tricycle shall have a parking brake.

**(3) Subsection 2 (10) of Schedule 6 to the Regulation is amended,**

- (a) by striking out “(o)” in the portion before clause (a) and substituting “(p)”;** and
- (b) by striking out “and” at the end of clause (n), by adding “and” at the end of clause (o) and by adding the following clause:**
- (p) in the case of a motor tricycle originally equipped with wheel speed sensors or similar devices, no wheel speed sensor or similar device shall be missing, excessively worn or damaged.

**6. Subsection 3 (1) of Schedule 6 to the Regulation is amended by striking out “and” at the end of clause (b), by adding “and” at the end of clause (c) and by adding the following clause:**

- (d) in the case of a motor tricycle originally fitted with an electronic stability control system, such system shall not be missing and there shall be no indication of a malfunction in the system.

**7. Section 6 of Schedule 6 to the Regulation is amended by adding the following subsections:**

- (4) In addition to the lights and reflectors required to be inspected under this section, a motor tricycle shall be equipped with,
  - (a) two white or amber parking lamps or reflectors facing forward placed at the widest part of the vehicle, as far apart as practical, to indicate width; and
  - (b) two red reflectors facing rearwards placed at the widest part of the vehicle, as far apart as practical, to indicate width.
- (5) The lamps and reflectors referred to in clauses (4) (a) and (b) shall be inspected and tested in accordance with subsection (1).

(6) Section 8 of Schedule 6.1, rather than this section, applies to a motor tricycle bearing a manufacturer's compliance label issued under section 6 of the Motor Vehicle Safety Regulations (Canada) specifying the type of vehicle as “TRI” for motor tricycle.

**8. The Regulation is amended by adding the following Schedule:**

SCHEDULE 6.1

INSPECTION REQUIREMENTS AND PERFORMANCE STANDARDS FOR MOTOR TRICYCLES WITH TWO FRONT WHEELS

ADOPTION OF FEDERAL STANDARDS

1. (1) A motor tricycle originally manufactured for sale in Canada shall bear the manufacturer's compliance label issued under section 6 of the Motor Vehicle Safety Regulations (Canada) specifying the type of vehicle as “TRI” for motor tricycle.

(2) An imported motor tricycle shall have been originally manufactured as a motor tricycle and shall bear a compliance label or other label to prove conformity as provided for in section 12 of the Motor Vehicle Safety Regulations (Canada).

(3) A motor tricycle referred to in subsections (1) and (2) shall not be modified so that it no longer complies with the regulatory standards that applied to it at the time it was manufactured or imported.

BODY WORK

- 2. (1) The motor tricycle shall have,
  - (a) securely mounted and operative footrests at each rider position;
  - (b) where they were originally installed, securely mounted fenders and mudguards;
  - (c) every seat thereon securely mounted so as to maintain its position and adjustment;
  - (d) no more seating positions than it had when originally manufactured; and

- (e) every component thereof securely mounted and not interfering with the safe operation of the motor tricycle.
- (2) No part of the motor tricycle shall have a broken, bent or sharp edge that protrudes in such a way as to constitute a hazard to persons or vehicles.
- (3) Every compartment door or cover shall,
  - (a) be securely attached;
  - (b) function properly; and
  - (c) be equipped with a lock, latch or spring device capable of holding it closed.
- (4) No frame member shall, on a visual inspection, appear bent or cracked or have loose or missing connecting fasteners that may degrade the safety of the vehicle or jeopardize its handling characteristics.
- (5) Where a frame component has been repaired, it shall have been repaired in a proper manner.
- (6) No guard, where originally fitted, that protects against contact with the chain, belt or other moving drive component shall be missing or insecurely mounted.
- (7) The chain, belt or driven sprocket shall not be excessively worn, frayed or loose and no fasteners in connection with those parts shall be missing, loose, cut or damaged.
- (8) The motor tricycle shall be fitted with at least two mirrors that conform to the requirements set out in Canada Motor Vehicle Safety Standard 111 under the Motor Vehicle Safety Regulations (Canada) and,
  - (a) each mirror shall be securely mounted and maintain a set adjustment; and
  - (b) no mirror shall be cracked, broken or have any significant reduction in reflecting surface owing to deterioration of the silvering.
- (9) Where the motor tricycle is fitted with a windshield,
  - (a) the windshield shall be secure in its attachment to the vehicle;
  - (b) the windshield shall not be crazed, clouded, fogged or damaged, so as to materially impair the operator's vision;
  - (c) any manufacturer's marking on the windshield shall be AS1, AS6 or AS10; and
  - (d) no material that obstructs the operator's view of the highway or an intersecting highway shall be fitted on the windshield.
- (10) The fuel system shall have,
  - (a) all required mountings and attachments secured;
  - (b) all required filler caps secured;
  - (c) no leakage; and
  - (d) fuel lines properly routed so as to not pose a potential safety hazard.
- (11) The exhaust pipe, muffler and tail pipe shall be complete and securely mounted.
- (12) No component of the exhaust system shall be so located as to cause charring or other heat damage to any wiring, fuel line, brake line or combustible material of the motor tricycle.

#### BRAKES

- 3. (1) No hydraulic hose or tube shall be abraded, restricted, crimped, cracked, broken or be so located as to chafe against any part of the motor tricycle or have damaged or missing clamps or supports.
- (2) No hydraulic hose, tube, valve, switch or fitting shall show any indication of leakage.
- (3) The hydraulic brake fluid level in any reservoir shall not be below the minimum level specified by the manufacturer or, where no specification is available, no master cylinder shall be less than one-half full.
- (4) A motorcycle shall be equipped with two independently actuated service brake systems, one applying at least the front wheel brakes and the other applying at least the rear wheel brakes, unless the motorcycle was manufactured solely with a split-service brake system, within the meaning of Canada Motor Vehicle Safety Standard 122 of the Motor Vehicle Safety Regulations (Canada), and the split-service brake system,
  - (a) met the requirements of that Standard at the time it was manufactured;
  - (b) has a single actuator; and
  - (c) has been maintained in its original condition.



- (5) In the case of a motor tricycle equipped with hydraulic service brakes,
  - (a) the hydraulic master cylinder push rods shall be properly adjusted;
  - (b) each service brake pedal or lever shall be capable of sustaining the application of,
    - (i) moderate force for 10 seconds without moving towards the applied position, and
    - (ii) heavy force without travelling more than 80 per cent of its available travel; and
  - (c) on a vehicle equipped with a split service brake system, there shall be a red brake failure indicator light that shall,
    - (i) activate when the ignition switch is turned from the "OFF" to the "ON" position and deactivate when the engine is started, or
    - (ii) activate when the ignition switch is turned from the "OFF" to the "START" position and deactivate when the switch is turned to the "ON" position.
- (6) All mechanical components of the service and parking brake systems that are external to the wheel shall have no mechanical part misaligned, insecure, excessively worn, broken, binding, seized, missing, frayed or disconnected.
- (7) If originally equipped with an anti-lock type braking system, there shall be no indication of malfunction of the system, including those parts of the system designed to advise the rider of system status or to warn of a malfunction.
- (8) When moderate force is applied to a brake control, the travel shall not exceed 80 per cent of its available travel.
- (9) With the service brakes properly adjusted, the service brake system shall be tested by stopping the motor tricycle on a substantially level, dry, smooth, paved surface free from loose material and, from a rate of speed of not less than 30 kilometres per hour, with heavy pedal or, where applicable, heavy pedal and lever control force,
  - (a) the motorcycle shall come to a complete stop within 5.8 metres;
  - (b) no component shall fail; and
  - (c) each wheel brake shall release immediately after the control force is removed.
- (10) Every motor tricycle shall have a parking brake and, when properly adjusted, the parking brake shall be tested by fully applying the control and then releasing it and,
  - (a) the brake, while set in the fully applied position and not held by foot or hand force, shall hold the motor tricycle stationary against the engine at a light throttle setting for a few seconds both in low forward gear and in reverse; and
  - (b) the brake shall fully release when the release control is operated.
- (11) Each wheel on which a brake assembly operates shall be rotated and, while rotating, the brake shall be applied, and if there is an audible or visible indication that a defect may exist that cannot be rectified except by removal of the brake drum or other component, that drum or component shall be removed.
- (12) In respect of a foundation brake assembly, where a brake drum or component has been removed under subsection (11) and, in all other instances where the matters set out in clauses (a) to (q) can be determined without demounting a wheel,
  - (a) no mechanical or structural part of the assembly shall be misaligned, badly worn, excessively scored, cracked, broken, binding, seized, disconnected or insecure;
  - (b) no grease retainer shall be missing or leaking;
  - (c) no bonded lining shall be thinner than 1.5 millimetres when measured at the thinnest part;
  - (d) no riveted lining surface shall be closer to the rivet head than the dimension specified by the vehicle manufacturer and in no case shall it be less than 0.8 millimetres;
  - (e) no lining of a disc brake assembly shall be worn to the extent that a wear indicator is in contact with the rotor;
  - (f) no brake lining shall be broken or loose on its pad or shoe;
  - (g) no brake lining shall show evidence of contamination that would affect braking performance;
  - (h) no hydraulic brake cylinder shall show evidence of leakage;
  - (i) no hydraulic brake piston shall fail to move when moderate pressure is applied to the brake control;
  - (j) all brakes shall be adjusted for minimum lining-to-drum clearance without brake drag;
  - (k) no inside diameter of a drum shall be greater than the dimension stamped on the drum, or where the dimension is not stamped on the drum, the vehicle manufacturer's wear limit;
  - (l) no thickness of a rotor shall be less than the dimension stamped on the rotor, or where the dimension is not stamped on the rotor, the motorcycle manufacturer's wear limit;

- (m) no ventilated disc shall have broken or visibly cracked cooling fins;
  - (n) no drum or rotor shall have any external crack or cracks on the friction surface, other than normal heat-check cracks, that reach the edge of the drum bore or periphery of the disc;
  - (o) no drum or rotor shall have any mechanical damage to the friction surface, other than that attributable to normal wear;
  - (p) in the case of a motor tricycle originally fitted with wheel speed sensors or similar devices, no wheel speed sensor or similar device shall be missing, excessively worn or damaged; and
  - (q) none of the original components of the foundation brake system shall have been removed, modified or replaced such that their effectiveness is reduced.
- (13) None of the original controls of the brake system, including the anti-lock brake controls, shall have been removed, modified or replaced so that their effectiveness is reduced.

#### ENGINE CONTROLS AND STEERING

4. (1) The complete throttle control system shall be inspected and tested while the engine is running and the motor tricycle is stationary with the transmission in neutral and,
- (a) the engine speed shall drop to idle when a spring return throttle control is released;
  - (b) the motor tricycle shall be equipped with a supplemental engine stopping device and the engine shall stop and remain stopped when the control is actuated;
  - (c) the engine speed shall not change with the movement of the steering from lock to lock; and
  - (d) if originally fitted with an electronic stability control system, such system shall not be missing and there shall be no indication of a malfunction in the system.
- (2) In the case of power boosted steering, the power steering drive belt, reservoir fluid level, all electrical components of an electric power system and system operation shall be inspected and,
- (a) the power steering drive belt shall not be missing, cut, frayed or excessively worn, and shall have correct tension;
  - (b) the fluid in the power steering reservoir shall not be lower than the minimum level specified by the vehicle manufacturer; and
  - (c) with the engine running, the power steering system,
    - (i) shall operate as intended, and
    - (ii) the hydraulic system shall not show excessive fluid leakage.
- (3) The steering column, other steering components and the handlebars shall be inspected and tested and,
- (a) the steering column, other steering components and handlebars shall not be loose in their mountings to the body and frame;
  - (b) no bolt or nut shall be loose or missing from a mounting;
  - (c) steering shaft couplings and splines shall not have excessive play;
  - (d) if fitted, the steering column energy absorbing section shall not be visibly damaged so as to reduce its effectiveness; and
  - (e) no part of the handlebar shall exceed a height of 380 millimetres above the uppermost portion of the operator's seat when the seat is depressed by the weight of the operator.
- (4) Front wheel alignment shall be inspected while all wheels are on the ground and the front wheels in the straight ahead position, and they shall not be visibly out of alignment.
- (5) The steering mechanism shall be tested for freedom of movement with the front wheels on the ground in the straight ahead position and, where a vehicle is equipped with power boosted steering, with the engine operating, and there shall be no free movement of the handlebars or the steering wheel rim without the front wheels moving, except to the extent permitted by the manufacturer's specifications.
- (6) The steering linkage joints shall be examined and there shall not be excessive play in any steering linkage joint.
- (7) The steering mechanism shall be tested for freedom of movement with the front wheels on the ground and, where a vehicle is equipped with power boosted steering, with the engine operating, and the front wheels shall turn from full right to full left and back again without interference or indication of roughness in the mechanism.
- (8) The steering linkage shall be inspected and tested for wear, damage, and maladjustment while the front wheels are off the ground and the vehicle is supported so that the steering linkage assumes its normal attitude and,



- (a) without movement of the opposite wheel, no front wheel shall have play about a vertical axis of,
  - (i) six millimetres for a tire diameter designation of sixteen or less,
  - (ii) nine millimetres for a tire diameter designation that is larger than sixteen but not larger than eighteen, or
  - (iii) twelve millimetres for a tire diameter designation that is larger than eighteen, as measured at the extreme front or rear of the tire tread face;
- (b) no part of the steering linkage system shall be damaged, repaired or modified so as to visibly weaken the linkage system or affect the proper steering of the vehicle; and
- (c) no nut, bolt or cotter pin shall be loose, excessively worn or missing.

#### SUSPENSION

5. (1) Inner control arm pivots, king pins, wheel and axle bearings, and ball joints, other than wear indicating ball joints, shall be inspected for wear and damage while the wheels of the vehicle are off the ground so that the suspension joints are not under load and,

- (a) no non-load carrying ball joint shall show any perceptible play other than that specified by the manufacturer;
- (b) no load-carrying ball joint shall have play in excess of that specified by the vehicle manufacturer;
- (c) in the case of king pins, no front wheel shall have a rocking play about a horizontal axis in excess of,
  - (i) six millimetres for a tire diameter designation of sixteen or less,
  - (ii) nine millimetres for a tire diameter designation that is larger than sixteen but not larger than eighteen, or
  - (iii) twelve millimetres for a tire diameter designation that is larger than eighteen, as measured at the extreme top or bottom of the tire tread face; and
- (d) no control arm inner pivot shall have excessive play.

(2) Wear-indicating ball joints shall be inspected under load with the wheels on the ground, and no excessive wear shall be indicated.

(3) Components of a strut suspension system shall be inspected for wear and damage with the front wheels off the ground and the vehicle supported so that the suspension assumes its normal attitude, and no front wheel shall have a rocking play about a horizontal axis in excess of five millimetres as measured at the extreme top or bottom of the tire tread face.

(4) Front and rear springs, shackles, U-bolts, centrebolts, radius rods, control arms, shock-absorbers, equalizers, stabilizers, their supports and attachments thereto shall be inspected, and none shall be loose, bent, cracked, broken, disconnected, perforated by corrosion or missing.

(5) The rear wheel shall be inspected for alignment and it shall not be tracking improperly so as to adversely affect control of the vehicle.

(6) The air suspension system, if fitted, shall be inspected and tested with air in the suspension system at normal operating pressure and,

- (a) no leakage shall occur; and
- (b) the vehicle body and chassis frame shall be supported clear of all axles and shall appear to be level.

#### WHEELS AND TIRES

6. (1) Each tire shall be inspected for depth of tread, tread and sidewall defects, regrooving, proper size and application, and

- (a) no tire shall be worn to the extent that in any major groove at three equally spaced intervals around the circumference of the tire,
  - (i) the tread wear indicators contact the road, or
  - (ii) less than 1.5 millimetres of tread depth remains;
- (b) no tire shall have exposed cord;
- (c) no tire shall have tread or sidewall cuts or snags deep enough to expose the cords;
- (d) no tire shall have any abnormal visible bump, bulge or knot;
- (e) no tire shall have been regrooved or recut below the original new tire groove depth;
- (f) no tire shall be of a smaller size than the motor tricycle manufacturer's specified minimum size or be sufficiently oversized as to contact any vehicle component so as to affect the safe operation of the vehicle; and



- (g) no vehicle shall be fitted with a tire that,
  - (i) bears the wording "not for highway use", "farm use only", "competition circuit use only" or any other wording or lettering indicating that the tire was not designed for highway use, or
  - (ii) bears the letters "SL", "NHS" or "TG" after the tire designation; and
- (h) no vehicle shall be fitted with a tire that is not intended for operation on a motor tricycle.
- (2) Wheel bearings shall be tested by rotating each wheel and no wheel bearing shall,
  - (a) give any indication of excessive wear or damage; or
  - (b) be maladjusted so as to result in excessive play or binding.
- (3) No wheel assembly fastener shall be loose, missing, damaged, broken, mismatched or have insufficient thread engagement.
- (4) No wheel shall have any visible crack, elongated bolt hole, indication of repair by welding, or be so bent or damaged as to affect the safe operation of the motorcycle.
- (5) No wheel spoke shall be missing, broken or visibly loose.

#### ELECTRICAL

- 7. (1) The horn shall be secure on its mounting and shall function as intended.
- (2) The neutral safety starting switch, if originally fitted, shall not have been removed and shall function as prescribed by the manufacturer and the neutral indicator light shall operate only in neutral.
- (3) The speedometer and odometer shall be tested by driving the vehicle and both shall be in good working order.
- (4) The voltage of the battery and the charging system shall be tested and shall be within the manufacturer's specifications.

#### LIGHTING

- 8. (1) The motor tricycle shall be equipped at a minimum with,
  - (a) one headlamp on the front;
  - (b) two red tail lamps on the rear;
  - (c) two red stop lamps on the rear;
  - (d) one white licence plate lamp on the rear;
  - (e) two amber or white parking lamps on the front;
  - (f) one red reflex reflector on the rear, one red reflex reflector on each side toward the rear and one amber reflex reflector on each side toward the front; and
  - (g) one amber turn signal lamp at or near the front on each side and one red or amber turn signal lamp at or near the rear on each side.
- (2) The lamps and reflectors referred to in subsection (1) shall meet the standards set out in Canada Motor Vehicle Safety Standard 108 under the Motor Vehicle Safety Regulations (Canada).
- (3) In addition to the lamps and reflectors required under subsection (1), the motor tricycle shall be equipped with two red reflectors facing rearwards placed at the widest part of the vehicle, as far apart as practical, to indicate width.
- (4) All lamps and reflectors required under subsection (1) or (3) shall be inspected, and,
  - (a) each circuit shall light the filaments or elements of all lamps on the circuit when the appropriate switch is in the "ON" position, and each indicator lamp shall indicate correctly;
  - (b) the operation of any lighting circuit shall not interfere with the operation of any other circuit;
  - (c) each lens and reflex reflector shall be correctly installed and shall not be discoloured or missing in whole or in part;
  - (d) each lamp and reflector shall be securely mounted on the vehicle and none shall be missing;
  - (e) the turn signal lamps and the flasher unit shall operate properly;
  - (f) the brake light shall operate when the appropriate control is actuated;
  - (g) no headlamp shall be coated or covered with a coloured material except as permitted under section 4.1 of Regulation 596 of the Revised Regulations of Ontario, 1990 (General) made under the Act;

- (h) no headlamp shall be modified so that the effective area of the lens or brightness of the light is reduced;
- (i) each headlamp shutter or retracting headlamp shall operate over the full range of movement or shall be secured in the fully open position; and
- (j) no lens or lamp assembly shall bear markings that indicate "not for highway use" or a similar meaning.

(5) The headlamp, tail lamp, licence plate lamp and clearance lamps on a motor tricycle shall be continuously illuminated when the engine is operating and each forward gear is engaged.

(6) The headlamp and dimmer switch shall be inspected and tested and, on a level surface after any noticeably deflated tires have been properly inflated, the headlamp alignment of the upper beam shall be inspected with a person seated on the operator's seat and the front forks in the straight ahead position and,

(a) the headlamp shall be secure and the lens shall not be cracked or broken;

(b) the dimmer switch shall be operative; and

(c) the centre of the high-intensity zone of the beam shall be,

(i) not more than 100 millimetres above nor more than 100 millimetres below the horizontal centre-line of the lamp, and

(ii) not more than 200 millimetres to the left nor more than 200 millimetres to the right of the vertical centre-line of the lamp, as measured on a screen placed eight metres in front of the lamp or by means of a headlamp testing machine.

(7) In the case of a motor tricycle originally fitted with instrument panel high beam and turn signal indicator lamps and lamps that illuminate gauges, such lamps shall be tested and shall operate properly.

**9. This Regulation comes into force on the day it is filed.**

20/08

## ONTARIO REGULATION 115/08

made under the

### HIGHWAY TRAFFIC ACT

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending Reg. 587 of R.R.O. 1990

(Equipment)

Note: Regulation 587 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) The Table to section 3 of Regulation 587 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:**

1.1	A motor tricycle	25 feet
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**(2) Item 2 of the Table to section 3 of the Regulation is revoked and the following substituted:**

2.	A motorcycle other than a motor tricycle	30 feet
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**2. Section 5 of the Regulation is amended by adding the following subsection:**

(10) A motorcycle shall be equipped with two independently actuated service brake systems, one applying at least the front wheel brakes and the other applying at least the rear wheel brakes, unless the motorcycle was manufactured solely with a split-service brake system, within the meaning of Canada Motor Vehicle Safety Standard 122 of the Motor Vehicle Safety Regulations (Canada), and the split-service brake system,

(a) met the requirements of that Standard at the time it was manufactured;

- (b) has a single actuator; and
- (c) has been maintained in its original condition.

**3. The Regulation is amended by adding the following section:**

**11. (1) In this section,**

“motor tricycle” means a motorcycle that,

- (a) is designed to travel on three wheels in contact with the ground,
- (b) has seating on which all occupants must sit astride,
- (c) has not more than four designated seating positions,
- (d) has a manufacturer’s gross vehicle weight rating of 1,000 kilograms or less,
- (e) has a minimum wheel rim diameter of 250 millimetres,
- (f) has a minimum wheel base of 1,016 millimetres, and
- (g) does not have a structure partially or fully enclosing the driver and passenger, other than that part of the vehicle forward of the driver’s torso and the seat backrest.

(2) For the purpose of determining the number of wheels on a motorcycle, two wheels are considered to be one wheel if they are mounted on the same axle and the distance between the centres of their areas of contact with the ground is less than 460 millimetres.

- (3) A motorcycle with two front wheels shall not be operated on the highway unless it is a motor tricycle that,
  - (a) bears the manufacturer’s compliance label issued under section 6 of the Motor Vehicle Safety Regulations (Canada) specifying the type of vehicle as “TRI” for motor tricycle or, in the case of an imported motor tricycle, a compliance label or other label as provided for in section 12 of those Regulations; and
  - (b) continues to meet the regulatory standards that applied to it at the time it was manufactured or imported.
- (4) A motor tricycle shall not have more seating positions than it had when originally manufactured.
- (5) A motor tricycle originally manufactured for sale in Canada shall not have more than two seating positions unless the motor tricycle,
  - (a) was originally manufactured with more than two seating positions; and
  - (b) bears the manufacturer’s compliance label issued under section 6 of the Motor Vehicle Safety Regulations (Canada) specifying the type of vehicle as “TRI” for motor tricycle.
- (6) An imported motor tricycle shall not have more than two seating positions unless the motor tricycle,
  - (a) was originally manufactured as a motor tricycle with more than two seating positions; and
  - (b) bears a compliance label or other label to prove conformity as provided for in section 12 of the Motor Vehicle Safety Regulations (Canada).
- (7) A motor tricycle shall be fitted with at least two mirrors that conform to the requirements set out in Canada Motor Vehicle Safety Standard 111 under the Motor Vehicle Safety Regulations (Canada).
- (8) Every motor tricycle shall have a parking brake adequate to hold the vehicle stationary for a few seconds when tested at light throttle in low forward gear and in reverse.
- (9) None of the original controls of the brake system of a motor tricycle, including the anti-lock brake controls, shall have been removed, modified or replaced so that their effectiveness is reduced.
- (10) In the case of a motor tricycle originally fitted with an electronic stability control system, such system shall not be missing and there shall be no indication of a malfunction in the system.

**4. This Regulation comes into force on the day it is filed.**

20/08



**ONTARIO REGULATION 116/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: April 30, 2008

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Amending Reg. 625 of R.R.O. 1990

(Tire Standards and Specifications)

Note: Regulation 625 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Regulation 625 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:****5.1 (1)** In this section,

“motor tricycle” means a motorcycle that,

- (a) is designed to travel on three wheels in contact with the ground,
- (b) has seating on which all occupants must sit astride,
- (c) has not more than four designated seating positions,
- (d) has a manufacturer’s gross vehicle weight rating of 1,000 kilograms or less,
- (e) has a minimum wheel rim diameter of 250 millimetres,
- (f) has a minimum wheel base of 1,016 millimetres, and
- (g) does not have a structure partially or fully enclosing the driver and passenger, other than that part of the vehicle forward of the driver’s torso and the seat backrest.

(2) For the purpose of determining the number of wheels on a motorcycle, two wheels are considered to be one wheel if they are mounted on the same axle and the distance between the centres of their areas of contact with the ground is less than 460 millimetres.

(3) A motor tricycle with two front wheels shall not be fitted with a tire of a size or type not intended for operation on a motor tricycle.

**2. This Regulation comes into force on the day it is filed.**

20/08

**ONTARIO REGULATION 117/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: April 30, 2008

Filed: May 2, 2008

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Amending Reg. 601 of R.R.O. 1990

(Motor Vehicle Inspection Stations)

Note: Regulation 601 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraph 2 of section 3 of Regulation 601 of the Revised Regulations of Ontario, 1990 is amended by striking out “6” and substituting “6.1”.**

(2) Paragraph 4 of section 3 of the Regulation is amended by striking out “Schedule 6” at the end and substituting “Schedules 6 and 6.1”.

2. (1) Subsection 8 (1) of the Regulation is revoked and the following substituted:

(1) It is a condition of the registration of a motor vehicle inspection mechanic, except a mechanic who only inspects trolley buses, that the mechanic hold a valid and subsisting certificate of qualification as an automotive service technician, truck and coach technician, motorcycle technician, truck-trailer service technician or auto body and collision damage repairer under the *Apprenticeship and Certification Act, 1998*.

(2) Subsection 8 (3) of the Regulation is amended by striking out “motorcycle mechanic” and substituting “motorcycle technician”.

(3) Subsection 8 (4) of the Regulation is revoked and the following substituted:

(4) It is a condition of the registration of a motor vehicle inspection mechanic who does not hold a certificate of qualification as a motorcycle technician that the mechanic not issue safety standards certificates for motor tricycles within the meaning of Regulation 611 of the Revised Regulations of Ontario, 1990 (Safety Inspections) made under the *Highway Traffic Act*.

(4) Subsection 8 (5) of the Regulation is amended by striking out “truck-trailer repairer” and substituting “truck-trailer service technician”.

3. This Regulation comes into force on the day it is filed.

20/08

## ONTARIO REGULATION 118/08

made under the

### CROWN FOUNDATIONS ACT, 1996

Made: April 30, 2008

Filed: May 2, 2008

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Printed in *The Ontario Gazette*: May 17, 2008

## DISSOLUTION OF CERTAIN HOSPITAL CROWN FOUNDATIONS

### Dissolution of “The Baycrest Hospital Foundation”

1. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as “The Baycrest Hospital Foundation” is hereby dissolved.

(2) Upon the dissolution of “The Baycrest Hospital Foundation” under subsection (1), the assets of the foundation become the assets of The Baycrest Centre Foundation.

### Dissolution of “Mount Sinai Hospital Crown Foundation”

2. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as the “Mount Sinai Hospital Crown Foundation” is hereby dissolved.

(2) Upon the dissolution of the “Mount Sinai Hospital Crown Foundation” under subsection (1), the assets of the foundation become the assets of the Mount Sinai Hospital Foundation of Toronto.

### Dissolution of “North York General Hospital Crown Foundation”

3. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as the “North York General Hospital Crown Foundation” is hereby dissolved.

(2) Upon the dissolution of the “North York General Hospital Crown Foundation” under subsection (1), the assets of the foundation become the assets of the North York General Hospital Foundation.

### Dissolution of “The Sunnybrook Hospital Crown Foundation”

4. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as “The Sunnybrook Hospital Crown Foundation” is hereby dissolved.

(2) Upon the dissolution of "The Sunnybrook Hospital Crown Foundation" under subsection (1), the assets of the foundation become the assets of the Sunnybrook Health Sciences Centre Foundation.

**Dissolution of "Toronto East General Hospital Crown Foundation"**

5. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as the "Toronto East General Hospital Crown Foundation" is hereby dissolved.

(2) Upon the dissolution of the "Toronto East General Hospital Crown Foundation" under subsection (1), the assets of the foundation become the assets of the Toronto East General Hospital Foundation.

**Dissolution of "The Toronto Hospital Crown Foundation"**

6. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as "The Toronto Hospital Crown Foundation" is hereby dissolved.

(2) Upon the dissolution of "The Toronto Hospital Crown Foundation" under subsection (1), the assets of the foundation become the assets of The Toronto General and Western Hospital Foundation.

**Dissolution of "Women's College and Wellesley Central Crown Foundation"**

7. (1) The crown foundation established by order of the Lieutenant Governor in Council dated December 4, 1996 under section 2 of the Act and known as the "Women's College and Wellesley Central Crown Foundation" is hereby dissolved.

(2) Upon the dissolution of the "Women's College and Wellesley Central Crown Foundation" under subsection (1), the assets of the foundation become the assets of the Women's College Hospital Foundation.

**Commencement**

8. This Regulation comes into force on the day it is filed.

20/08

**ONTARIO REGULATION 119/08**

made under the

**ONTARIO WORKS ACT, 1997**

Made: April 30, 2008

Filed: May 2, 2008

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Amending O. Reg. 134/98  
(General)

Note: Ontario Regulation 134/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The Table to paragraph 1 of subsection 44 (1) of Ontario Regulation 134/98, as remade by subsection 4 (1) of Ontario Regulation 479/07, is amended by striking out the note to the Table and substituting the following:

For each additional dependant 18 years of age or older of a sole support parent, add \$97. Otherwise, for each additional dependant 18 years of age or older, add \$84.  
For each additional dependant 0-17 years of age of a sole support parent, add \$54. Otherwise, for each additional dependant 0-17 years of age, add \$49.

2. (1) Subsection 47.2 (2) of the Regulation is amended by striking out "41.44" in the definition of "E" and substituting "41.41".

(2) Section 47.2 of the Regulation is amended by adding the following subsection:

(3) Despite subsection (2), a recipient's budgetary requirements shall not be reduced under this section to less than \$2.50.

3. Section 48 of the Regulation is amended by adding the following subsections:

(5) Income as determined under subsections (1) to (4) shall be reduced in accordance with subsection (6) if,



- (a) income is being determined for a month in which a recipient's budgetary requirements are reduced in accordance with section 47.2; and
- (b) after the reduction described in clause (a), the recipient's budgetary requirements are less than or equal to income as determined under subsections (1) to (4).
- (6) The amount of the reduction under subsection (5) shall be calculated in accordance with the following formula:

$$A = (B - C) + \$2.50$$

where,

A = the reduction in income for the month,

B = income for the month as determined under subsections (1) to (4), and

C = budgetary requirements for the month.

**4. The Table to subparagraph 1 ii of section 51 of the Regulation is revoked and the following substituted:**

TABLE

No. of Dependants Other than a Spouse	Dependants 18 Years or Older	Dependants 13-17 Years	Dependants 0-12 Years	Recipient	Recipient and Spouse
0	0	0	0	\$211	\$420
1	0	0	1	355	420
	0	1	0	372	437
	1	0	0	523	550
2	0	0	2	355	420
	0	1	1	372	437
	0	2	0	389	454
	1	0	1	667	550
	1	1	0	684	567
	2	0	0	653	696

For each additional dependant, add \$147 if the dependant is 18 years of age or older, or \$17 if the dependant is 13-17 years of age, or \$0 if the dependant is 0-12 years of age.

**5. Section 58.3 of the Regulation is revoked and the following substituted:**

TRANSITION CHILD BENEFIT

**58.3** (1) A recipient who has one or more dependent children shall be paid a monthly transition child benefit under this section in respect of each dependent child who meets one of the following criteria:

- 1. A child in respect of whom neither the recipient nor his or her spouse, included in the benefit unit, is in receipt of any amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act* or any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada).
- 2. A child in respect of whom the recipient or his or her spouse, included in the benefit unit,
  - i. is receiving less than the maximum amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act* and any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada), or
  - ii. is receiving one of the following, but is not receiving the other:
    - A. any amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act*,
    - B. any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada).

(2) The amount of a transition child benefit to be paid in respect of a dependent child shall be determined in accordance with the following rules:

- 1. With respect to dependent children to whom paragraph 1 of subsection (1) applies, the transition child benefit is \$172 for each child.
- 2. With respect to dependent children to whom paragraph 2 of subsection (1) applies, the transition child benefit is calculated as follows:

$$A = (\$172 \times B) - (C + D)$$

where,

A = the monthly amount of the transition child benefit,

B = the number of dependent children to whom paragraph 2 of subsection (1) applies,

C = the total monthly payment with respect to dependent children to whom paragraph 2 of subsection (1) applies under section 8.6.2 of the *Income Tax Act*, and

D = the total monthly payment with respect to dependent children to whom paragraph 2 of subsection (1) applies that represents item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada) as decreased by the sum of \$43.75 for the first dependent child, \$41.99 for the second dependent child and \$41.41 for each additional dependent child.

(3) A recipient whose budgetary requirements are determined under subsection 43 (2), 44 (2) or 44.1 (2) or (3) is not eligible to be paid a transition child benefit under this section for his or her dependent child or children.

**6. This Regulation comes into force on August 1, 2008.**

## RÈGLEMENT DE L'ONTARIO 119/08

pris en application de la

### LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 30 avril 2008

déposé le 2 mai 2008

publié sur le site Lois-en-ligne le 5 mai 2008

imprimé dans la *Gazette de l'Ontario* le 17 mai 2008

modifiant le Règl. de l'Ont. 134/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. Le tableau de la disposition 1 du paragraphe 44 (1) du Règlement de l'Ontario 134/98, tel qu'il est pris de nouveau par le paragraphe 4 (1) du Règlement de l'Ontario 479/07, est modifié par substitution de ce qui suit à la note :**

Pour chaque personne à charge supplémentaire d'un père ou d'une mère seul soutien de famille, ajouter 97 \$ si elle est âgée de 18 ans ou plus. Dans les autres cas, pour chaque personne à charge supplémentaire âgée de 18 ans ou plus, ajouter 84 \$.

Pour chaque personne à charge supplémentaire d'un père ou d'une mère seul soutien de famille, ajouter 54 \$ si elle est âgée de 0 à 17 ans. Dans les autres cas, pour chaque personne à charge supplémentaire âgée de 0 à 17 ans, ajouter 49 \$.

**2. (1) Le paragraphe 47.2 (2) du Règlement est modifié par substitution de «41,41 \$» à «41,44 \$» dans la définition de l'élément «E».**

**(2) L'article 47.2 du Règlement est modifié par adjonction du paragraphe suivant :**

(3) Malgré le paragraphe (2), les besoins matériels d'un bénéficiaire, une fois réduits aux termes du présent article, ne doivent pas être inférieurs à 2,50 \$.

**3. L'article 48 du Règlement est modifié par adjonction des paragraphes suivants :**

(5) Le revenu déterminé aux termes des paragraphes (1) à (4) est réduit conformément au paragraphe (6) si les conditions suivantes sont réunies :

a) le revenu est déterminé pour un mois dans lequel les besoins matériels d'un bénéficiaire sont réduits conformément à l'article 47.2;

b) après la réduction visée à l'alinéa a), les besoins matériels du bénéficiaire sont inférieurs ou égaux au revenu déterminé aux termes des paragraphes (1) à (4).

(6) Le montant de la réduction visée au paragraphe (5) est calculé comme suit :

$$A = (B - C) + 2,50 \$$$

où :

- «A» représente le montant de la réduction du revenu pour le mois;
- «B» représente le revenu pour le mois déterminé aux termes des paragraphes (1) à (4);
- «C» représente les besoins matériels pour le mois.

**4. Le tableau de la sous-disposition 1 ii de l'article 51 du Règlement est abrogé et remplacé par ce qui suit :**

TABLEAU

Nombre de personnes à charge autres qu'un conjoint	Personnes à charge de 18 ans ou plus	Personnes à charge de 13 à 17 ans	Personnes à charge de 0 à 12 ans	Bénéficiaire	Bénéficiaire et conjoint
0	0	0	0	211 \$	420 \$
1	0	0	1	355	420
	0	1	0	372	437
	1	0	0	523	550
2	0	0	2	355	420
	0	1	1	372	437
	0	2	0	389	454
	1	0	1	667	550
	1	1	0	684	567
	2	0	0	653	696

Pour chaque personne à charge supplémentaire, ajouter 147 \$ si elle est âgée de 18 ans ou plus, ou 17 \$ si elle est âgée de 13 à 17 ans, ou 0 \$ si elle est âgée de 0 à 12 ans.

**5. L'article 58.3 du Règlement est abrogé et remplacé par ce qui suit :**

PRESTATION POUR ENFANTS TRANSITOIRE

**58.3 (1)** Un bénéficiaire qui a un ou plusieurs enfants à charge reçoit une prestation pour enfants transitoire mensuelle aux termes du présent article à l'égard de chaque enfant à charge qui satisfait à l'un ou l'autre des critères suivants :

1. Il s'agit d'un enfant à l'égard de qui ni le bénéficiaire ni son conjoint compris dans le groupe de prestataires ne reçoit un montant au titre de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu* ou un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada).
2. Il s'agit d'un enfant à l'égard de qui le bénéficiaire ou son conjoint compris dans le groupe de prestataires :
  - i. soit reçoit un montant inférieur au montant maximal de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu* et un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada),
  - ii. soit reçoit un des montants suivants, mais non l'autre :
    - A. un montant au titre de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu*,
    - B. un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada).

(2) Le montant de la prestation pour enfants transitoire payable à l'égard d'enfants à charge est déterminé conformément aux règles suivantes :

1. À l'égard des enfants à charge à qui s'applique la disposition 1 du paragraphe (1), la prestation pour enfants transitoire est de 172 \$ par enfant.
2. À l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1), la prestation pour enfants transitoire est calculée comme suit :

$$A = (172 \$ \times B) - (C + D)$$

où :

- «A» représente le montant mensuel de la prestation pour enfants transitoire;
- «B» représente le nombre d'enfants à charge à qui s'applique la disposition 2 du paragraphe (1);



«C» représente le total de la mensualité, prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu*, à l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1);

«D» représente le total de la mensualité à l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1) que représente l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada), réduit de la somme des montants suivants : 43,75 \$ pour le premier enfant à charge, 41,99 \$ pour le deuxième enfant à charge et 41,41 \$ pour chaque autre enfant à charge.

(3) Le bénéficiaire dont les besoins matériels sont déterminés aux termes du paragraphe 43 (2), 44 (2) ou 44.1 (2) ou (3) n'est pas admissible à recevoir une prestation pour enfants transitoire aux termes du présent article pour ses enfants à charge.

**6. Le présent règlement entre en vigueur le 1<sup>er</sup> août 2008.**

20/08

## ONTARIO REGULATION 120/08

made under the

### ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

Amending O. Reg. 222/98

(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subsection 36.2 (2) of Ontario Regulation 222/98 is amended by striking out “41.44” in the definition of “E” and substituting “41.41”.**

**(2) Section 36.2 of the Regulation is amended by adding the following subsection:**

(3) Despite subsection (2), a recipient's budgetary requirements shall not be reduced under this section to less than \$2.50.

**2. Section 37 of the Regulation is amended by adding the following subsections:**

(4) Income as determined under subsections (1) to (3) shall be reduced in accordance with subsection (5) if,

(a) income is being determined for a month in which a recipient's budgetary requirements are reduced in accordance with section 36.2; and

(b) after the reduction described in clause (a), the recipient's budgetary requirements are less than or equal to income as determined under subsections (1) to (3).

(5) The amount of the reduction under subsection (4) shall be calculated in accordance with the following formula:

$$A = (B - C) + \$2.50$$

where,

A = the reduction in income for the month,

B = income for the month as determined under subsections (1) to (3), and

C = budgetary requirements for the month.

**3. The Table to subparagraph 1 ii of section 40 of the Regulation is revoked and the following substituted:**

TABLE

No. of Dependants Other than a Spouse	Dependants 18 Years or Older	Dependants 13-17 Years	Dependants 0-12 Years	Recipient See Note 1 below	Recipient and Spouse See Note 2 below	Recipient and Spouse See Note 3 below
0	0	0	0	\$554	\$821	\$1,107
1	0	0	1	697	821	1,107
	0	1	0	756	880	1,166
	1	0	0	883	988	1,274
2	0	0	2	697	821	1,107
	0	1	1	756	880	1,166
	0	2	0	815	939	1,225
	1	0	1	1,026	988	1,274
	1	1	0	1,085	1,047	1,333
	2	0	0	1,051	1,175	1,461
For each additional dependant, add \$188 if the dependant is 18 years of age or older, or \$59 if the dependant is 13-17 years of age, or \$0 if the dependant is 0-12 years of age.						
Note 1.	A recipient if there is no spouse included in the benefit unit.					
Note 2.	A recipient with a spouse included in the benefit unit if Note 3 does not apply.					
Note 3.	A recipient with a spouse included in the benefit unit if each of the recipient and the spouse is a person with a disability or a person referred to in subparagraph 1 i of subsection 4 (1) or paragraph 6 of subsection 4 (1).					

**4. Section 45.3 of the Regulation is revoked and the following substituted:**

**TRANSITION CHILD BENEFIT**

**45.3 (1)** A recipient who has one or more dependent children shall be paid a monthly transition child benefit under this section in respect of each dependent child who meets one of the following criteria:

1. A child in respect of whom neither the recipient nor his or her spouse, included in the benefit unit, is in receipt of any amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act* or any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada).
2. A child in respect of whom the recipient or his or her spouse, included in the benefit unit,
  - i. is receiving less than the maximum amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act* and any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada), or
  - ii. is receiving one of the following, but is not receiving the other:
    - A. any amount of the Ontario child benefit under section 8.6.2 of the *Income Tax Act*,
    - B. any amount in respect of item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada).

(2) The amount of a transition child benefit to be paid in respect of a dependent child shall be determined in accordance with the following rules:

1. With respect to dependent children to whom paragraph 1 of subsection (1) applies, the transition child benefit is \$148 for each child.
2. With respect to dependent children to whom paragraph 2 of subsection (1) applies, the transition child benefit is calculated as follows:

$$A = (\$148 \times B) - (C + D)$$

where,

- A = the monthly amount of the transition child benefit,
- B = the number of dependent children to whom paragraph 2 of subsection (1) applies,
- C = the total monthly payment with respect to dependent children to whom paragraph 2 of subsection (1) applies under section 8.6.2 of the *Income Tax Act*, and
- D = the total monthly payment with respect to dependent children to whom paragraph 2 of subsection (1) applies that represents item "C" in the formula set out in subsection 122.61 (1) of the *Income Tax Act* (Canada) as decreased by the sum of \$43.75 for the first dependent child, \$41.99 for the second dependent child and \$41.41 for each additional dependent child.

(3) A recipient whose budgetary requirements are determined under subsection 33.1 (2) or (3) is not eligible to be paid a transition child benefit under this section for his or her dependent child or children.

**5. This Regulation comes into force on July 1, 2008.**

## RÈGLEMENT DE L'ONTARIO 120/08

pris en application de la

### LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 30 avril 2008

déposé le 2 mai 2008

publié sur le site Lois-en-ligne le 5 mai 2008

imprimé dans la *Gazette de l'Ontario* le 17 mai 2008

modifiant le Règl. de l'Ont. 222/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) Le paragraphe 36.2 (2) du Règlement de l'Ontario 222/98 est modifié par substitution de «41,41 \$» à «41,44 \$» dans la définition de l'élément «E».**

**(2) L'article 36.2 du Règlement est modifié par adjonction du paragraphe suivant :**

(3) Malgré le paragraphe (2), les besoins matériels d'un bénéficiaire, une fois réduits aux termes du présent article, ne doivent pas être inférieurs à 2,50 \$.

**2. L'article 37 du Règlement est modifié par adjonction des paragraphes suivants :**

(4) Le revenu déterminé aux termes des paragraphes (1) à (3) est réduit conformément au paragraphe (5) si les conditions suivantes sont réunies :

- a) le revenu est déterminé pour un mois dans lequel les besoins matériels d'un bénéficiaire sont réduits conformément à l'article 36.2;
- b) après la réduction visée à l'alinéa a), les besoins matériels du bénéficiaire sont inférieurs ou égaux au revenu déterminé aux termes des paragraphes (1) à (3).

(5) Le montant de la réduction visée au paragraphe (4) est calculé comme suit :

$$A = (B - C) + 2,50 \$$$

où :

«A» représente le montant de la réduction du revenu pour le mois;

«B» représente le revenu pour le mois déterminé aux termes des paragraphes (1) à (3);

«C» représente les besoins matériels pour le mois.

**3. Le tableau de la sous-disposition 1 ii de l'article 40 du Règlement est abrogé et remplacé par ce qui suit :**

TABLEAU

Nombre de personnes à charge autres qu'un conjoint	Personnes à charge de 18 ans ou plus	Personnes à charge de 13 à 17 ans	Personnes à charge de 0 à 12 ans	Bénéficiaire Voir remarque Ici-dessous	Bénéficiaire et conjoint Voir remarque 2 ci-dessous	Bénéficiaire et conjoint Voir remarque 3 ci-dessous
0	0	0	0	554 \$	821 \$	1 107 \$
1	0	0	1	697	821	1 107
	0	1	0	756	880	1 166
	1	0	0	883	988	1 274



Nombre de personnes à charge autres qu'un conjoint	Personnes à charge de 18 ans ou plus	Personnes à charge de 13 à 17 ans	Personnes à charge de 0 à 12 ans	Bénéficiaire Voir remarque 1 ci-dessous	Bénéficiaire et conjoint Voir remarque 2 ci-dessous	Bénéficiaire et conjoint Voir remarque 3 ci-dessous
2	0	0	2	697	821	1 107
	0	1	1	756	880	1 166
	0	2	0	815	939	1 225
	1	0	1	1 026	988	1 274
	1	1	0	1 085	1 047	1 333
	2	0	0	1 051	1 175	1 461

Pour chaque personne à charge supplémentaire, ajouter 188 \$ si elle est âgée de 18 ans ou plus, ou 59 \$ si elle est âgée de 13 à 17 ans, ou 0 \$ si elle est âgée de 0 à 12 ans.

Remarque 1. Un bénéficiaire si aucun conjoint n'est compris dans le groupe de prestataires.

Remarque 2. Un bénéficiaire qui a un conjoint compris dans le groupe de prestataires si la remarque 3 ne s'applique pas.

Remarque 3. Un bénéficiaire qui a un conjoint compris dans le groupe de prestataires si le bénéficiaire, de même que le conjoint, est une personne handicapée ou une personne visée à la sous-disposition 1 i du paragraphe 4 (1) ou à la disposition 6 de ce paragraphe.

#### 4. L'article 45.3 du Règlement est abrogé et remplacé par ce qui suit :

##### PRESTATION POUR ENFANTS TRANSITOIRE

**45.3** (1) Un bénéficiaire qui a un ou plusieurs enfants à charge reçoit une prestation pour enfants transitoire mensuelle aux termes du présent article à l'égard de chaque enfant à charge qui satisfait à l'un ou l'autre des critères suivants :

1. Il s'agit d'un enfant à l'égard de qui ni le bénéficiaire ni son conjoint compris dans le groupe de prestataires ne reçoit un montant au titre de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu* ou un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada).
2. Il s'agit d'un enfant à l'égard de qui le bénéficiaire ou son conjoint compris dans le groupe de prestataires :
  - i. soit reçoit un montant inférieur au montant maximal de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu* et un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada),
  - ii. soit reçoit un des montants suivants, mais non l'autre :
    - A. un montant au titre de la prestation ontarienne pour enfants prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu*,
    - B. un montant au titre de l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada).

(2) Le montant de la prestation pour enfants transitoire payable à l'égard d'enfants à charge est déterminé conformément aux règles suivantes :

1. À l'égard des enfants à charge à qui s'applique la disposition 1 du paragraphe (1), la prestation pour enfants transitoire est de 148 \$ par enfant.
2. À l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1), la prestation pour enfants transitoire est calculée comme suit :

$$A = (148 \$ \times B) - (C + D)$$

où :

- «A» représente le montant mensuel de la prestation pour enfants transitoire;
- «B» représente le nombre d'enfants à charge à qui s'applique la disposition 2 du paragraphe (1);
- «C» représente le total de la mensualité, prévue à l'article 8.6.2 de la *Loi de l'impôt sur le revenu*, à l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1);
- «D» représente le total de la mensualité à l'égard des enfants à charge à qui s'applique la disposition 2 du paragraphe (1) que représente l'élément «C» dans la formule énoncée au paragraphe 122.61 (1) de la *Loi de l'impôt sur le revenu* (Canada), réduit de la somme des montants suivants : 43,75 \$ pour le premier enfant à charge, 41,99 \$ pour le deuxième enfant à charge et 41,41 \$ pour chaque autre enfant à charge.

(3) Le bénéficiaire dont les besoins matériels sont déterminés aux termes du paragraphe 33.1 (2) ou (3) n'est pas admissible à recevoir une prestation pour enfants transitoire aux termes du présent article pour ses enfants à charge.

#### 5. Le présent règlement entre en vigueur le 1<sup>er</sup> juillet 2008.

**ONTARIO REGULATION 121/08**

made under the

**INSURANCE ACT**

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008**INVESTMENT AND LENDING ACTIVITIES — LIFE INSURERS****CONTENTS**

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**Application**

1. (1) This Regulation applies to insurers that are subject to Part XVII of the Act and licensed under the Act to transact the business of life insurance, but does not apply to fraternal societies.

(2) Unless otherwise provided, a reference in this Regulation to an insurer is a reference to an insurer to which this Regulation applies.

**Definitions**

2. (1) In this Regulation,
- “designated entity” means, in respect of an insurer, an entity that is not,
- (a) a joint venture,
  - (b) a financial institution, or

(c) a subsidiary of a financial institution that is not a subsidiary of the financial institution only because it is a subsidiary of the insurer; (“entité désignée”)

“factoring entity” means an entity whose activities are limited to acting as a factor in respect of accounts receivable, including the raising of money for the purposes of acting as a factor and lending money while acting as a factor; (“entité s’occupant d’affacturage”)

“finance entity” means an entity,

(a) that engages in a business that includes,

(i) issuing payment, credit or charge cards and, in co-operation with others, including financial institutions, operating a payment, credit or charge card plan, or

(ii) making or refinancing loans or entering into any other similar arrangements for advancing funds or credit, and

(b) that is not,

(i) a financial institution,

(ii) a factoring entity,

(iii) a financial leasing entity that is a permitted entity under this Regulation, or

(iv) a specialized financing entity that makes or refinances loans to, or enters into other similar arrangements for advancing funds or credit to, only entities that it controls or in which it holds a substantial investment; (“entité s’occupant de financement”)

“financial leasing entity” means an entity whose activities are limited to the financial leasing of personal property, including,

(a) the entering into and acceptance of assignments of conditional sales agreements in respect of personal property,

(b) the administration of financial lease agreements and conditional sales agreements on behalf of any person, and

(c) the raising of money for the purposes of financing the activities of the financial leasing entity and the investment of that money pending its use for those activities; (“entité s’occupant de crédit-bail”)

“financial services entity” means an entity that is,

(a) a financial institution,

(b) an entity listed in any of paragraphs 1 to 11 of subsection 5 (1), or

(c) any other entity whose primary business activity is the provision of financial services; (“entité s’occupant de services financiers”)

“joint venture” means a real property entity,

(a) that was formed by an insurer or a designated entity controlled by the insurer and one or more other persons for the purpose of a specific business undertaking,

(b) in which the insurer or designated entity has made and holds a substantial investment, and

(c) in respect of which the persons who formed it have agreed on joint control, regardless of the distribution of their equity; (“coentreprise”)

“minority interest” means, in respect of an entity controlled by an insurer, an equity interest in the entity that is held by a person who is neither the insurer nor another entity controlled by the insurer; (“participation minoritaire”)

“motor vehicle” means a motorized vehicle designed to be used primarily on a public highway for the transportation of persons or things, but does not include,

(a) an ambulance or fire department vehicle as defined in section 61 of the *Highway Traffic Act*,

(b) a utility truck,

(c) a bus, or

(d) another special purpose motorized vehicle that contains significant special features that make it suitable for a specific purpose; (“véhicule automobile”)

“mutual fund dealer” means an entity whose principal activity is acting as a selling agent of units, shares or other interests in a mutual fund and acting as a collecting agent in the collection of payments for any such interests if,

(a) the proceeds of the sales of any such interests, less any sales commissions and service fees, are paid to the mutual fund, and



- (b) the existence of a sales commission and service fee in respect of the sale of any such interest is disclosed to the purchaser of the interest before the purchase of the interest; ("courtier de fonds mutuels")

"real property entity" means,

- (a) an entity that is primarily engaged in the business of holding, managing or otherwise dealing with real property, or
- (b) an entity that is primarily engaged in holding or dealing in,
  - (i) shares of, or ownership interests in, an entity described under clause (a), or
  - (ii) shares of, or ownership interests in, another entity that is primarily engaged in holding or dealing in shares of, or ownership interests, in an entity described under clause (a); ("entité immobilière")

"related real property entity" means, in respect of an insurer,

- (a) a real property entity, other than a designated entity controlled by the insurer, in which the insurer or a designated entity controlled by the insurer beneficially owns sufficient shares or ownership interests to cause the insurer or designated entity to have a substantial investment in the real property entity, or
- (b) a real property entity that is controlled by a real property entity described in clause (a); ("entité immobilière apparentée")

"residential real property" means real property that includes one or more buildings in each of which at least one-half of the floor area is used, or is to be used, as residential premises; ("immeuble résidentiel")

"third party" means, in respect of an insurer, another person that is not,

- (a) a designated entity controlled by the insurer, or
- (b) a related real property entity of the insurer. ("tierce partie")

(2) For the purposes of section 435.5 of the Act and this Regulation, a specialized financing entity is an entity that acquires and holds shares of or ownership interests in entities in which an insurer may acquire, hold or increase a substantial investment by way of specialized financing activities.

(3) For the purposes of this Regulation and subject to subsection (4), the capital of an insurer at a particular time is the amount calculated using the formula,

$$A - B$$

in which,

"A" is the sum of the following amounts that would be reported in the financial statements of the insurer prepared in accordance with section 104 of the Act as of the particular time:

1. The amount of minority interests.
2. The amount of subordinated indebtedness.
3. The amount by which assets exceed liabilities.
4. The amount of the total deferred realized capital gains less the total deferred realized capital losses from real estate and share transactions of the insurer or any other insurer controlled by it that is licensed to transact the business of life insurance.

"B" is the amount of goodwill that would be included in the financial statements referred to in the definition of "A".

(4) In calculating the amount of an insurer's capital under subsection (3), an amount may be included in respect of a security only if,

- (a) the security is, by its terms, subordinate in right of payment to the policy liabilities and other liabilities of the entity that issued the security, other than liabilities that by their terms rank equally with or are subordinate to the security;
- (b) the security is issued and fully paid up; and
- (c) if the security is subordinated indebtedness or a preferred share, the security,
  - (i) has an initial minimum term of at least five years or has no stated term, and
  - (ii) cannot be redeemed or purchased for cancellation in the first five years after it is issued.

#### Commercial loan, prescribed matters

3. (1) For the purposes of subclause (a) (i) of the definition of "commercial loan" in subsection 432 (1) of the Act, the prescribed amount is \$250,000.

(2) The following international agencies are prescribed for the purposes of subclauses (a) (iii) and (b) (ii) of the definition of "commercial loan" in subsection 432 (1) of the Act:

1. The International Bank for Reconstruction and Development.
2. The International Finance Corporation.
3. The Inter-American Development Bank.
4. The Asian Development Bank.
5. The African Development Bank.
6. The European Investment Bank.
7. The Caribbean Development Bank.
8. The Nordic Investment Bank.
9. The European Bank for Reconstruction and Development.
10. The Council of Europe Development Bank.

(3) For the purposes of subclauses (b) (iv) and (c) (i) of the definition of "commercial loan" in subsection 432 (1) of the Act, securities that are debt obligations, shares or ownership interests are widely distributed if the following conditions are satisfied:

1. In the case of debt obligations the distribution of which is exempt from the requirement to file a prospectus under the laws of Ontario, Canada, another province of Canada or a jurisdiction outside Canada,
  - i. at least 90 per cent of the maximum authorized principal of the debt obligations is held by one or more persons other than the insurer and its subsidiaries and,
    - A. the debt obligations were issued to at least 25 persons other than the insurer and its subsidiaries within six months after the day on which the first of the debt obligations was issued, or
    - B. if the debt obligations are issued on a continuous basis, there are on average at least 25 holders other than the insurer and its subsidiaries, or
  - ii. at the time of their initial distribution, the debt obligations satisfied at least three of the following conditions:
    - A. their initial term was less than one year,
    - B. they were rated by a rating agency,
    - C. they were distributed through a person authorized to trade in securities, and
    - D. they were distributed in accordance with an offering circular or memorandum or a similar document relating to the distribution of securities.
2. In the case of securities other than debt obligations described in paragraph 1,
  - i. the securities are listed and posted for trading on a recognized stock exchange, or
  - ii. a prospectus relating to the issuance of the securities was filed under the laws of Ontario, Canada, another province in Canada or a jurisdiction outside Canada.

#### Prescribed subsidiary

4. For the purposes of the definition of "prescribed subsidiary" in subsection 432 (1) of the Act, a prescribed subsidiary of an insurer is,

- (a) for the purposes of subsection 435.9 (1) of the Act, any subsidiary of the insurer; and
- (b) for the purposes of Part XVII of the Act other than subsection 435.9 (1), a subsidiary of the insurer that is not,
  - (i) a financial institution, or
  - (ii) an entity that is a subsidiary of a financial institution for a reason other than because it is a subsidiary of the insurer.

#### SUBSTANTIAL INVESTMENTS IN PERMITTED ENTITIES

##### Permitted entities

5. (1) For the purposes of the definition of "permitted entity" in subsection 432 (1) of the Act, each of the following entities is a permitted entity in relation to an insurer:

1. An investment counsel.

2. A portfolio manager.
  3. A factoring entity.
  4. A finance entity.
  5. A financial leasing entity, but only if the conditions prescribed by section 6 are satisfied.
  6. An insurance broker or agent, if the entity is licensed under the Act or registered under the *Registered Insurance Brokers Act* or is registered or licensed under comparable legislation in another jurisdiction in Canada.
  7. A mortgage broker or agent, if the entity is registered or licensed under the *Mortgage Brokers Act*, the *Mortgage Brokerages, Lenders and Administrators Act, 2006* or comparable legislation in another jurisdiction in Canada.
  8. A mutual fund dealer.
  9. A mutual fund within the meaning of subsection 1 (1) of the *Securities Act* whose activities are limited to the investment of the funds of the mutual fund for the purposes of providing investment diversification and professional investment management services to the holders of its securities.
  10. A non-redeemable investment fund within the meaning of subsection 1 (1) of the *Securities Act* whose activities are limited to the investment of the funds of the fund for the purposes of providing investment diversification and professional investment management services to the holders of its securities, and whose securities are,
    - i. fixed in number and distributed to the public in an offering under a preliminary prospectus, prospectus, short form prospectus or similar document in accordance with the laws of a Province of Canada or a foreign jurisdiction,
    - ii. traded on a recognized and regulated market, and
    - iii. liquidated on a fixed future termination date, with the proceeds allocated to the holders of the securities in accordance with their holdings.
  11. A receiver, sequestrator or liquidator.
  12. An entity, other than a financial institution, whose business activities are limited to one or more of the business activities prescribed by subsection (2) and who satisfies the conditions, if any, set out in that subsection relating to that business activity.
- (2) The following business activities are prescribed for the purposes of paragraph 12 of subsection (1):
1. Providing financial services.
  2. Holding, managing or otherwise dealing with real property.
  3. The business of a real estate broker or otherwise acting as an agent for vendors, purchasers, lessors or lessees of real property or providing consulting or appraisal services in respect of real property.
  4. Promoting merchandise and services to the holders of any payment, credit or charge card issued by the insurer.
  5. Providing in Canada data processing or other information processing services relating to financial institutions if,
    - i. the insurer has developed the processing systems for its own use and the processing systems are an integral part of the insurer's operations, and
    - ii. the services are provided to entities in which the insurer has a substantial investment and that do not provide information processing services to other entities,
  6. Collecting, manipulating and transmitting information,
    - i. that is primarily financial or economic in nature, or
    - ii. that relates to the business of an entity that is a permitted entity with respect to insurers to which this Regulation applies.
  7. Providing advisory or other services in the design, development and implementation of information management services.
  8. Designing, developing or marketing computer software.
  9. Designing, developing, manufacturing or selling computer equipment integral to the provision of information services related to the business of financial institutions or to the provision of financial services, if it is an ancillary activity to any business referred to in paragraph 6, 7 or 8 in which the insurer is engaged.
  10. Designing, developing, holding, managing, manufacturing, selling or otherwise dealing with data transmission systems, information sites, communication devices or information platforms or portals that are used,



- i. to provide information that is primarily financial or economic in nature,
    - ii. to provide information that relates to the business of an entity that is a permitted entity in respect of an insurer to which this Regulation applies, or
    - iii. for a purpose or in a circumstance that is materially related to the provision of financial products or services by the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment.
  - 11. Designing, developing, holding, managing, manufacturing, selling or otherwise dealing with data transmission systems, information sites, communication devices or information platforms or portals that are used to provide information services.
  - 12. Providing specialized business management and advisory services.
  - 13. Acting as a custodian of property.
  - 14. Selling any of the following:
    - i. tickets, including lottery tickets, on a non-profit public service basis, in connection with special, temporary and infrequent non-commercial celebrations or projects that are of local, municipal, provincial or national interest,
    - ii. urban transit tickets,
    - iii. tickets for a lottery sponsored by the federal government, a provincial or municipal government or an agency of any of those governments.
  - 15. Providing services that are reasonably ancillary to the business of the insurer, including one or more of the following:
    - i. providing safety and risk prevention services and services respecting risk management and claims adjustment,
    - ii. providing and operating rehabilitation and training and development centres,
    - iii. providing computer systems to insurance brokers and agents,
    - iv. providing support to insurance brokers and agents, and
    - v. operating repair and appraisal centres.
  - 16. Providing services exclusively to,
    - i. the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment that is permitted under the Act or this Regulation, or
    - ii. one or more of the entities listed in subparagraph i and,
      - A. a financial services entity, or
      - B. an entity that is a permitted entity in respect of the insurer and in which a financial services entity has a substantial investment.
  - 17. Any other business activity not described in paragraphs 1 to 16 that relates to,
    - i. the promotion, sale, delivery or distribution of a financial product or financial service that is provided by the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment that is permitted under the Act or this Regulation, or
    - ii. if a significant portion of the business activity of the entity involves an activity described in subparagraph i, the promotion, sale, delivery or distribution of a financial product or service that is provided by a financial services entity.
  - 18. Acquiring or holding shares of, or ownership interests in, entities in respect of which an insurer is permitted under the Act or this Regulation to hold a substantial investment.
- (3) Despite subsection (1),
- (a) an entity that is a permitted entity under any of paragraphs 1, 2, 4 and 6 to 11 of subsection (1) does not cease to be a permitted entity by reason only that it carries on one or more business activities carried out by another entity listed in any of those paragraphs or one or more business activities prescribed by subsection (2), as long as it satisfies the conditions, if any, relating to the other entity or the business activity;
  - (b) an entity that is a permitted entity under paragraph 3 or 5 of subsection (1) ceases to be a permitted entity if it carries on any business activity prescribed by subsection (2); and
  - (c) an entity listed in subsection (1) is not a permitted entity in respect of an insurer if,
    - (i) its business activities include the acceptance of deposit liabilities, or

- (ii) it engages in any personal property leasing activity in Canada that, if carried on by a financial leasing entity, would prevent the financial leasing entity from being a permitted entity in respect of an insurer.

(4) For the purposes of subsection 435.1 (1) of the Act and subject to subsections (5), (6), (7) and (8) of this section, an insurer may, subject to section 435.7 of the Act, acquire, hold or increase a substantial investment in a permitted entity only if all of the applicable following conditions are satisfied:

1. The insurer may acquire, hold or increase a substantial investment in any of the following permitted entities only with the approval of the Superintendent:
  - i. A financial institution.
  - ii. An entity that is a permitted entity under paragraph 1, 2 or 8 of subsection (1) and,
    - A. that is not registered under the *Securities Act* or comparable legislation of another jurisdiction in Canada, or
    - B. that is exempt from registration requirements.
  - iii. A finance entity.
  - iv. A factoring entity or a financial leasing entity unless, at the time of the investment or as a result of the investment, the permitted entity is a subsidiary of the insurer.
  - v. A permitted entity engaged in a business described in paragraph 1, 6, 7, 8, 9, 10, 11, 15 or 17 of subsection (2).
  - vi. An entity that is a permitted entity under paragraph 9 or 10 of subsection (1) if it is not subject to regulation under the *Securities Act* or comparable legislation of another jurisdiction in Canada.
  - vii. A permitted entity engaged in a business described in paragraph 18 of subsection (2) unless, at the time of the investment or as a result of the investment, the permitted entity is a subsidiary of the insurer and does not hold an interest in any entity in which the insurer is not permitted to make a substantial investment without the consent of the Superintendent.
2. The insurer may acquire, hold or increase a substantial investment in any of the following permitted entities only if the insurer will control the permitted entity after the acquisition or the acquisition and holding of the substantial investment is permitted under paragraph 3:
  - i. A financial institution.
  - ii. A factoring entity.
  - iii. A finance entity.
  - iv. A financial leasing entity.
  - v. A permitted entity engaged in the business described in paragraph 18 of subsection (2) if that business includes the acquisition of a substantial investment in one or more of the permitted entities listed in subparagraphs i to iv.
3. The insurer may acquire, hold or increase a substantial investment in a permitted entity listed in any of subparagraphs 2 i to v, without controlling the permitted entity after the acquisition, only if, after the acquisition, the total value of the following investments and loans does not exceed 50 per cent of the insurer's capital:
  - i. All shares in corporations and ownership interests in unincorporated entities beneficially owned by the insurer or by permitted entities listed in subparagraphs 2 i to v in which the insurer has a substantial investment but which the insurer does not control.
  - ii. All loans, each of which is held by the insurer or by permitted entities referred to in subparagraph i.
  - iii. All outstanding guarantees, each of which was given by the insurer or by a permitted entity referred to in subparagraph i or on behalf of permitted entities referred to in subparagraph i.
4. The insurer may acquire, hold or increase a substantial investment in an entity whose business is described in paragraph 11 of subsection (2) only if the sum of the following amounts does not exceed five per cent of the insurer's capital:
  - i. The total book value of the shares and ownership interests that the insurer and its subsidiaries, whether individually or jointly, would acquire in the permitted entity.
  - ii. The total book value of the shares and ownership interests already held by the insurer and its subsidiaries, whether individually or jointly, in other entities engaged in a business described in paragraph 11 of subsection (2) in which the insurer has a substantial investment.
  - iii. The total value of outstanding loans made by the insurer and its subsidiaries, whether individually or jointly, to entities engaged in a business described in paragraph 11 of subsection (2) in which the insurer has a substantial investment.



(5) The insurer may acquire, hold or increase a substantial investment in a permitted entity whose activities include acquiring and holding substantial investments in other entities if,

- i. the permitted entity is a permitted entity by reason of subsection (1), and
- ii. the insurer would, but for paragraph 1, 2 or 3 of subsection (4), be permitted under section 435.1, 435.2, 435.3, 435.4, 435.5 or 435.6 of the Act to acquire a substantial investment in the other entity.

(6) Paragraph 3 of subsection (4) does not apply if the permitted entity is incorporated or organized under the laws of a jurisdiction outside Canada and those laws or the customary business practices of the jurisdiction do not permit the insurer to control the entity.

(7) If the insurer controls a permitted entity listed in subparagraphs 2 i to v of subsection (4), the insurer may, with the Superintendent's approval, give up control while retaining a substantial investment in the permitted entity only if the total value of the insurer's investments and loans listed in subparagraphs 3 i to iii of that subsection does not exceed 50 per cent of the insurer's capital after the insurer gives up control.

(8) If the insurer proposes to acquire, increase or reduce a substantial investment in an entity by way of specialized financing activities,

- (a) the determination of whether the entity is a permitted entity in respect of the insurer shall be made without reference to clause (3) (c); and
- (b) paragraphs 1, 2 and 3 of subsection (4) and subsection (7) do not apply.

(9) The following rules apply for the purposes of determining the total value of investments and loans for the purposes of paragraphs 3 and 4 of subsection (4):

1. No amount shall be included in respect of shares or ownership interests acquired under circumstances in which subsection 435.3 (1) or 435.4 (1), section 435.5 or subsection 435.6 (1) of the Act applies.
2. The value of an ownership interest or loan held by an insurer at a particular time is the book value of the ownership interest or loan that would be reported on the balance sheet of the insurer prepared in accordance with section 104 of the Act as of that time.
3. The value of a guarantee is its face value.

#### Financial leasing entity

6. (1) The conditions that must be satisfied for a financial leasing entity to be a permitted entity are as follows:

1. The financial leasing entity does not direct its customers or potential customers to particular dealers in the property that is the subject of the financial lease agreement or conditional sales agreement.
2. The financial leasing entity does not enter into financial lease agreements or accept assignments of a conditional sales agreements relating to motor vehicles having a gross vehicle weight of less than 21 tonnes.
3. The financial leasing entity does not enter into or accept assignments of conditional sales agreements with individuals relating to personal household property.
4. The financial leasing entity does not enter into or accept assignments of financial lease agreements or conditional sales agreements, other than financial lease agreements and conditional sales agreements that have as their primary purpose the extension of credit to a lessee or purchaser.
5. The financial leasing entity does not enter into financial lease agreements or conditional sales agreements in respect of personal property, including personal property that is affixed to real estate but not including personal household property, unless the personal property,
  - i. was selected by the lessee or purchaser and acquired by the financial leasing entity at the request of the lessee or purchaser, or
  - ii. was previously acquired by the financial leasing entity in respect of another financial lease agreement or conditional sales agreement.
6. The financial leasing entity does not enter into financial lease agreements or conditional sales agreements that entail responsibility on the part of the financial leasing entity to install, promote, service, clean or repair the property that is the subject of the agreement.
7. Every financial lease agreement and conditional sales agreement entered into by the financial leasing entity includes a provision,
  - i. that assigns to the lessee or purchaser the benefit of all warranties, guarantees and other undertakings made by a manufacturer or supplier in respect of the personal property that is the subject of the agreement, or



- ii. that sets out the responsibilities of the financial leasing entity in respect of all warranties, guarantees and other undertakings made by a manufacturer or supplier in respect of the personal property that is the subject of the agreement.
- 8. Every financial lease agreement entered into by the financial leasing entity must yield,
  - i. a return to the financial leasing entity of not less than the amount of the financial leasing entity's total investment in the property that is the subject of the agreement, and
  - ii. a rate of return that is reasonable in the circumstances, taking into consideration the terms and conditions of the agreement and the rate of return sought by other lessors in respect of the financial leasing of similar property under similar conditions.
- 9. The total estimated residual value of all leased properties held by the financial leasing entity that are referred to in paragraph 4 of subsection (3) does not at any time exceed 10 per cent of the total cost of acquisition of those leased properties by the financial leasing entity.
- (2) In paragraph 2 of subsection (1),
 

"gross vehicle weight" means, in respect of a motor vehicle, the gross vehicle weight that is specified by the manufacturer of the motor vehicle as the loaded weight of,

  - (a) the motor vehicle, or
  - (b) in the case of a motor vehicle designed to pull a trailer, the motor vehicle and the trailer.
- (3) In determining the rate of return under a financial lease agreement for the purposes of subparagraph 8 ii of subsection (1), the following factors shall be taken into consideration:
  - 1. The amount of the rental charges under the agreement.
  - 2. The estimated tax benefits accruing to the financial leasing entity in respect of the agreement, including any tax credits and capital cost allowance that the financial leasing entity is entitled to claim in respect of the property that is the subject of the agreement.
  - 3. If the lessee or a third party who is dealing at arm's length with the financial leasing entity has, on or before the start of the agreement, either contracted to purchase the property that is the subject of the agreement or unconditionally guaranteed the resale value of the property when the agreement expires, the amount of the purchase price or guaranteed resale value.
  - 4. If paragraph 3 does not apply, the amount of the estimated residual value of the property that is the subject of the agreement or 25 per cent of the cost of acquisition of the property, whichever is less.

#### Continuation of exceptions

- 7. (1) Subject to subsection (3), the rules in subsection (2) apply in respect of a substantial investment held by an insurer in the following circumstances:
  - 1. The insurer was permitted under a particular provision of the Act or the regulations to acquire and did acquire a substantial investment in a particular entity.
  - 2. The insurer is no longer permitted under the particular provision to hold the substantial investment.
  - 3. The insurer could qualify to hold the substantial investment under another provision of the Act or this Regulation.
- (2) In the circumstances described in subsection (1), the insurer is entitled to continue to hold the substantial investment under the provision referred to in paragraph 3 of subsection (1) if any conditions that must be satisfied in order for the insurer to be entitled to hold the substantial investment under that provision are satisfied.
- (3) Subsection (1) does not apply in respect of a substantial investment if clause 435.3 (4) (b), 435.4 (4) (b) or 435.6 (4) (b) of the Act applies.

#### SUPERINTENDENT'S APPROVAL

##### Criteria for Superintendent's approval

- 8. In determining whether to give an approval referred to in clause 435.3 (4) (b), 435.4 (4) (b) or 435.6 (1) (a), (b), (c) or (d) of the Act, the Superintendent shall consider,
  - (a) whether the investment can reasonably be expected to expose the insurer to an undue risk; and
  - (b) whether the investment can reasonably be expected to hinder the supervision and regulation of the insurer.

## SPECIALIZED FINANCING ACTIVITIES

**Substantial investments by way of specialized financing activities**

9. (1) Subject to subsections (2) to (7), an insurer may make substantial investments in other entities by way of specialized financing activities.

(2) An insurer shall not, by way of specialized financing activities, acquire, hold or increase a substantial investment in,

- (a) an entity that is a financial institution for the purposes of Part XVII of the Act;
- (b) an entity that is primarily engaged in the leasing of motor vehicles in Canada for the purpose of extending credit to a customer or financing a customer's acquisition of a motor vehicle;
- (c) an entity that is primarily engaged in providing temporary possession of personal property, including motor vehicles, to customers in Canada for a purpose other than to finance the customer's acquisition of the property;
- (d) an entity that acts as an insurance broker or agent in Canada.

(3) An insurer shall not, by way of specialized financing activities, hold a substantial investment in an entity for more than 13 consecutive years.

(4) An insurer shall not, by way of specialized financing activities, acquire, hold or increase a substantial investment in an entity if the total book value of the shares and ownership interests that are held or would be held in the entity by the insurer, all subsidiaries of the insurer and all specialized financing entities of the insurer exceeds or would exceed \$250 million.

(5) An insurer shall not, by way of specialized financing activities, acquire, hold or increase a substantial investment in an entity if the sum of the following exceeds or would exceed 10 per cent of the insurer's capital:

- 1. The total book value of all shares and ownership interests that the insurer and its subsidiaries, whether individually or jointly, would hold in the entity.
- 2. The total value of all outstanding loans made by the insurer and its subsidiaries, whether individually or jointly, to specialized financing entities of the insurer.
- 3. The total book value of all shares and ownership interests held by the insurer and its subsidiaries, whether individually or jointly, in,
  - i. specialized financing entities of the insurer, and
  - ii. entities, other than the entity referred to in paragraph 1, in which the insurer holds a substantial investment by way of specialized financing activities.

(6) An insurer shall not, by way of specialized financing activities, acquire, hold or increase a substantial investment in an entity controlled by a specialized financing entity of the insurer or in an entity in which the specialized financing entity of the insurer holds a substantial investment, if the sum of the following exceeds or would exceed 25 per cent of the insurer's capital:

- 1. The total book value of all shares and ownership interests held by the insurer and its subsidiaries, whether individually or jointly, in the specialized financing entity and in entities in which the specialized financing entity holds a substantial investment.
- 2. The total value of all outstanding loans that the insurer and its subsidiaries, whether individually or jointly, have made to the specialized financing entity and to entities in which the specialized financing entity holds a substantial investment.

(7) An insurer shall not, by way of specialized financing activities, acquire, hold or increase a substantial investment in an entity, other than by way of an investment by a specialized financing entity controlled by the insurer, if the sum of the following exceeds or would exceed 25 per cent of the insurer's capital:

- 1. The total book value of all shares and ownership interests that the insurer and its subsidiaries, whether individually or jointly, would acquire in the entity.
- 2. The total book value of all shares and ownership interests held by the insurer and its subsidiaries, whether individually or jointly, in entities in which the insurer holds a substantial investment by way of specialized financing activities, other than entities in which the insurer has acquired a substantial investment by way of an investment by a specialized financing entity of the insurer.
- 3. The total value of all outstanding loans that the insurer and its subsidiaries, whether individually or jointly, have made to entities in which the insurer holds a substantial investment by way of specialized financing activities, other than entities in which the insurer has acquired a substantial investment by way of an investment by a specialized financing entity of the insurer.

(8) For the purposes of this section and section 10, an entity is a specialized financing entity of an insurer if it is a specialized financing entity in which the insurer holds a substantial interest.



**Specialized financing entities**

**10.** (1) Despite section 435.5 of the Act, an insurer shall not acquire, hold or increase a substantial investment in a specialized financing entity if,

- (a) the value of the outstanding debt obligations of the specialized financing entity and any specialized financing entity of the insurer controlled by the specialized financing entity, other than debt obligations payable to the insurer or entities controlled by the insurer, as reported on their respective balance sheets prepared on an unconsolidated basis, exceeds twice the sum of,
  - (i) the amount by which the value of the assets of the specialized financing entity exceed its liabilities, as reported on its balance sheet prepared on an unconsolidated basis, and
  - (ii) the value of all equity interests held by persons other than the insurer or an entity controlled by the insurer in specialized financing entities of the insurer that are controlled by the specialized financing entity, as reported on the balance sheet of the specialized financing entity prepared on the equity basis;
- (b) the specialized financing entity controls or holds shares of or ownership interests in any of the entities referred to in clauses 9 (2) (a) to (d);
- (c) the total book value of all shares and ownership interests, other than shares or ownership interests held by the specialized financing entity in a specialized financing entity of the insurer that it controls, that the insurer, the specialized financing entity, subsidiaries of the insurer or other specialized financing entities of the insurer hold or would hold in an entity in which the specialized financing entity holds a substantial investment, is more than \$250 million;
- (d) the sum of the values under paragraphs 1, 2 and 3 of subsection 9 (5) exceeds or would exceed 10 per cent of the insurer's capital; or
- (e) the sum of the values under paragraphs 1 and 2 of subsection 9 (6) exceeds or would exceed 25 per cent of the insurer's capital.

(2) Despite section 435.5 of the Act, an insurer shall not acquire or hold a substantial investment in a specialized financing entity if,

- (a) the specialized financing entity has, for more than 13 consecutive years, held a substantial investment in any entity that is not another specialized financing entity of the insurer; or
- (b) the specialized financing entity and any one or more of the insurer and other specialized financing entities of the insurer have held, one after the other for more than 13 consecutive years, a substantial investment in any entity that is not a specialized financing entity of the insurer.

(3) For the purposes of subsection (2), any period of time during which a substantial investment was held by a specialized financing entity of an insurer before it became a specialized financing entity of the insurer shall not be included in the calculation of the length of time during which the specialized financing entity held the substantial investment.

**OTHER INVESTMENTS****Investments outside control of insurer**

**11.** For the purposes of clause 435.6 (1) (f) of the Act, an insurer may acquire or increase a substantial investment in an entity, irrespective of whether it is a permitted entity or the investment is otherwise permitted under the Act or this Regulation, if the acquisition or increase is the result of one or more events that are outside the control of the insurer.

**RESTRICTIONS AND LIMITS ON INSURER'S BUSINESS ACTIVITIES****Limit on loans secured by residential mortgages**

**12.** (1) For the purposes of section 435.7 of the Act, an insurer shall not make a loan in Canada or acquire, hold or increase a substantial investment in a permitted entity described in subsection 5 (1) that makes a loan in Canada if,

- (a) the loan is made on the security of residential real property for the purpose of purchasing, renovating or improving the real property or refinancing a loan made for that purpose; and
- (b) the amount of the loan plus the amount then outstanding of all other liabilities secured by mortgages having equal or prior claims against the real property would exceed 80 per cent of the value of the real property at the time the insurer makes the loan or acquires the substantial investment.

(2) Subsection (1) does not apply in respect of,

- (a) a loan made or guaranteed under the *National Housing Act* (Canada) or any other Act of Parliament or of Ontario under which a different limit is established on the value of property on the security of which the insurer may make a loan;



- (b) a loan that would otherwise be prohibited by reason of clause (1) (b) if repayment of the portion of the loan that exceeds the maximum value set out in that clause is guaranteed or insured by a government agency or by an insurance company approved by the Superintendent;
- (c) the acquisition by the insurer from an entity of securities issued or guaranteed by the entity that are secured on any residential real property, whether in favour of a trustee or otherwise, or the making of a loan by the insurer to the entity against the issue of the securities; or
- (d) a loan secured by a mortgage taken back by the insurer on the disposition of property by the insurer, including a disposition for the purpose of realization of a security interest, if the mortgage secures payment of an amount payable to the insurer for the property.

#### Restriction on loans to certain entities

13. (1) This section applies if an insurer holds a substantial investment in a permitted entity listed in any of subparagraphs 2 i to v of subsection 5 (4) and the insurer is entitled to hold the substantial investment by reason of paragraph 3 of subsection 5 (4) or subsection 5 (7).

(2) The insurer shall not make a loan to or give a guarantee on behalf of the permitted entity, and shall not permit any subsidiary of the insurer to do so, if, after making the loan or giving the guarantee, the total value of the investments and loans described in subparagraphs 3 i to iii of subsection 5 (4) would exceed 50 per cent of the insurer's capital.

(3) Paragraphs 1, 2 and 3 of subsection 5 (9) apply for the purposes of determining the total value of investments and loans for the purposes of subsection (2).

#### Restriction on guarantees

14. (1) For the purposes of section 435.7 of the Act, an insurer shall not guarantee on behalf of any person the payment or repayment of money unless,

- (a) the payment or repayment is of a fixed amount, with or without interest; and
- (b) the person on whose behalf the insurer has undertaken to guarantee the payment or repayment has an unqualified obligation to reimburse the insurer for the full amount of the payment or repayment to be guaranteed.

(2) Clause (1) (a) does not apply if the person on whose behalf the insurer undertakes to guarantee a payment or repayment is a subsidiary of the insurer.

#### Restriction on financial leasing activities

15. For the purposes of section 435.7 of the Act, an insurer shall not engage in Canada in any leasing activity in respect of personal property that, if carried on by a financial leasing entity, would disqualify the financial leasing entity from being a permitted entity for the purposes of the Act.

#### Holding own shares

16. (1) For the purposes of section 435.7 of the Act and subject to subsection (2), an insurer shall not do any of the following:

- 1. Hold any of its issued shares or any shares issued by a corporation that controls the insurer.
- 2. Hold an ownership interest in an unincorporated entity that controls the insurer.
- 3. Permit any of its subsidiaries to hold shares issued by the insurer or by a corporation that controls the insurer.
- 4. Permit any of its subsidiaries to hold an ownership interest in an unincorporated entity that controls the insurer.

(2) Subsection (1) does not apply in respect of,

- (a) the redemption of preference shares in accordance with section 28 of the *Corporations Act*;
- (b) the purchase of shares of the insurer under a plan for the conversion of the insurer into a mutual company in accordance with section 211 of the *Corporations Act*;
- (c) the holding of shares by the insurer or by a subsidiary of the insurer as an executor, administrator, guardian or trustee in accordance with subsection 111 (2) of the *Corporations Act* or the holding of an ownership interest in the same capacity in similar circumstances; or
- (d) subject to the *Corporations Act*, the holding of shares or an ownership interest for a period of not more than 180 days if the shares or ownership interest are acquired on the realization of a security interest.

#### Value of loans, investments and interests in property

17. (1) For the purposes of subsection 435.8 (1) of the Act, if an investment is acquired by an insurer or a prescribed subsidiary under section 435.6 of the Act, the value of the investment shall not be included in calculating the value of loans, investments and interests in property acquired by the insurer or prescribed subsidiary for the purposes of sections 435.9 to 435.12.

(2) Subsection (1) and subsection 435.8 (1) of the Act do not apply to an investment or an interest in real property if the insurer or prescribed subsidiary acquired the investment or interest in real property,

- (a) as a result of the realization of a security interest in real property that is a loan, debt obligation or guarantee described in any of items 11 to 19 in the Table in subsection 20 (1); or
- (b) as a result of a default referred to in subsection 435.3 (1) of the Act under the terms of the agreement governing an interest in real property that is a loan, debt obligation or guarantee referred to in any of the items mentioned in clause (a).

#### **Commercial loan limit**

18. (1) For the purposes of subsection 435.9 (2) of the Act, the amount determined under the regulations is five per cent of the total assets of the insurer.

(2) For the purposes of subsection (1), the total assets of the insurer is the amount that would be calculated under section 21 as the total assets of the insurer for the purposes of section 435.14 of the Act if the insurer's last balance sheet prepared before the time of the calculation is deemed to be the balance sheet that would be prepared as of the time the determination is made under subsection 435.9 (2) of the Act.

#### **Limits on investments**

19. (1) For the purposes of subsections 435.10 (1) and 435.11 (2) of the Act, the amount determined under the regulations is the sum of,

- (a) 70 per cent of the amount determined under subsection (3);
- (b) 15 per cent of the insurer's liabilities in respect of life insurance policies that are not participating policies;
- (c) 25 per cent of the insurer's liabilities in respect of life insurance policies that are participating policies; and
- (d) five per cent of the insurer's liabilities in respect of,
  - (i) all life annuities, whether or not for a guaranteed term, in respect of which the insurer has contracted with the annuitant to make regular payments of defined amounts,
  - (ii) all annuities in respect of which the insurer has guaranteed a rate of interest for a term of more than 10 years after the date on which the contract is entered into,
  - (iii) all group long-term disability annuities in respect of which the insurer has contracted with the annuitant to make regular periodic payments of defined amounts to retirement age, and
  - (iv) all other disability annuities in respect of which the insurer has contracted with the annuitant to make regular periodic payments of defined amounts,
    - (A) while the disability of the annuitant continues, to age 65, or
    - (B) for life.

(2) For the purposes of subsection 435.12 (2) of the Act, the amount determined under the regulations is the sum of,

- (a) the amount determined under subsection (3);
- (b) 20 per cent of the insurer's liabilities in respect of life insurance policies that are not participating policies;
- (c) 40 per cent of the insurer's liabilities in respect of life insurance policies that are participating policies; and
- (d) the amount determined under clause (1) (d).

(3) For the purposes of clauses (1) (a) and (2) (a), the amount determined under this subsection is the amount by which the insurer's capital exceeds the sum of,

- (a) all amounts each of which is included in the capital of the insurer and is,
  - (i) the amount by which the total assets of any financial institution controlled by the insurer, or of any entity controlled by the financial institution, exceeds the total liabilities (including deferred taxes and subordinated indebtedness) of the financial institution or entity,
  - (ii) an amount equal to the total deferred realized capital gains less the total deferred realized capital losses from real estate and share transactions of a financial institution referred to in subclause (i) that is an insurer licensed to transact the business of life insurance, or
  - (iii) the amount of subordinated indebtedness issued by a financial institution or entity referred to in subclause (i);
- (b) all amounts included in the capital of the insurer each of which is the amount of a minority interest in,
  - (i) a financial institution controlled by the insurer, or



- (ii) an entity controlled by a financial institution that is controlled by the insurer;
  - (c) all amounts each of which is the amount of an investment, other than subordinated indebtedness referred to in subclause (a) (iii), made by the insurer or a designated entity controlled by the insurer in a financial institution or in an entity controlled by a financial institution controlled by the insurer, that are included,
    - (i) in the capital of an insurer, or
    - (ii) in the amount that would be treated as capital of a financial institution for the purposes of capital adequacy rules by the regulatory body that regulates the financial institution; and
  - (d) all amounts each of which is the amount of a loan, other than subordinated indebtedness referred to in subclause (a) (iii), made by the insurer or by a designated entity controlled by the insurer, to another insurance company incorporated by or under the laws of Canada or of a Province, to a securities dealer controlled by the other insurer or to an entity controlled by an insurance company or securities dealer controlled by the insurer, that are included,
    - (i) in the capital of an insurer, or
    - (ii) in the amount that would be treated as the capital of the other insurance company or the securities dealer by the regulatory body that regulates the insurance company or securities dealer, as the case may be.
- (4) For the purposes of subsection 435.14 (1) of the Act, the value of participating shares and ownership interests referred to in sections 435.11 and 435.12 of the Act that are beneficially owned by an insurer or by those of its subsidiaries that are prescribed subsidiaries for the purposes of section 435.14 of the Act is the book value of the shares and ownership interests that would be reported on the insurer's consolidated balance sheet as of the time the determination is made.

#### INTERESTS IN REAL PROPERTY

##### Interests in real property

20. (1) For the purposes of Part XVII of the Act, the interest of an insurer or a prescribed subsidiary of an insurer in each of the types of property listed in Column 2 in the following Table is an interest in real property for the purposes of Part XVII of the Act and the value of the interest is the amount determined under the provisions set out opposite the type of property in Column 3 of the Table:

TABLE OF REAL PROPERTY INTERESTS

Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
1.	Real property beneficially owned by the insurer or by a designated entity controlled by the insurer.	The book value of the real property.
2.	A debt obligation for which the insurer or a designated entity controlled by the insurer is liable that was issued for the purpose of acquiring or improving real property described in Item 1.	The amount, if any, by which the book value of the debt obligation exceeds the book value of the real property.
3.	Real property, (a) that is beneficially owned by, (i) a related real property entity of the insurer that is a joint venture, or (ii) an entity in which an entity described in subclause (i) has a substantial investment; and (b) that would be reported on a balance sheet of the insurer prepared in accordance with section 104 of the Act.	The book value of the real property.
4.	Shares and ownership interests beneficially owned by the insurer, or by a designated entity controlled by the insurer, in any related real property entity of the insurer, other than a related real property entity referred to in Item 3.	The book value of the shares and ownership interests.
5.	A debt obligation that was issued by a related real property entity of the insurer and that is beneficially owned by the insurer or by a designated entity controlled by the insurer.	The book value of the debt obligation.
6.	A loan made by the insurer or a designated entity controlled by the insurer to a related real property entity of the insurer.	The book value of the loan.
7.	A loan made by the insurer or a designated entity controlled by the insurer to, (a) a real property entity in which a financial institution controlled by the insurer has a substantial investment; or (b) a real property entity that is controlled by a real property entity described in clause (a).	The book value of the loan.



Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
8.	A debt obligation that was issued by a real property entity described in clause (a) or (b) of Item 7 and that is beneficially owned by the insurer or a designated entity controlled by the insurer.	The book value of the debt obligation.
9.	A debt obligation that is, (a) issued by a related real property entity of the insurer; (b) beneficially owned by a third party; and (c) guaranteed by the insurer or a designated entity controlled by the insurer.	If the debt obligation is issued by a related real property entity and the entity beneficially owns real property that is an interest of the insurer in real property described in Item 3, the amount, if any, by which the face value of the guarantee exceeds the value of that real property.  In any other case, the face value of the guarantee.
10.	A loan made by a third party to a related real property entity of the insurer and guaranteed by the insurer or a designated entity controlled by the insurer.	If the loan is made to a related real property entity and the entity beneficially owns real property that is an interest of the insurer in real property described in Item 3, the amount, if any, by which the face value of the guarantee exceeds the value of that real property.  In any other case, the face value of the guarantee.
11.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the total net realizable value of any other security interests that were given for the loan.
12.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the total net realizable value of any other security interests that were given for the debt obligation.
13.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the total net realizable value of any other security interests that were given for the debt obligation.
14.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the loan, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.

Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
15.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the debt obligation, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.
16.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in those shares or ownership interests at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the loan or debt obligation, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.
17.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the total net realizable value of all other security interests given for the loan.
18.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the total net realizable value of all other security interests given for the debt obligation.
19.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the total net realizable value of all other security interests given for the debt obligation.
20.	A guarantee given by the insurer or a designated entity controlled by the insurer to an entity other than the insurer or the designated entity for the purpose of completing the development of real property that is beneficially owned by, (a) the insurer; (b) the designated entity controlled by the insurer; or (c) a related real property entity of the insurer.	The estimated cost of completing the development of the real property.



Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
21.	An agreement made by the insurer or a designated entity controlled by the insurer to support a third party's cost of operating or financing real property that is beneficially owned by, (a) the insurer; (b) the designated entity controlled by the insurer; or (c) a related real property entity of the insurer.	The amount of any funds advanced pursuant to the agreement by the insurer or the designated entity controlled by the insurer.

(2) The book value at a particular time of property that is an interest in real property for the purposes of Part XVII of the Act is,

- (a) if the property is real property, the gross book value of the real property, less any accumulated depreciation on the real property, that would be reported on a balance sheet of the insurer prepared as of the particular time in accordance with section 104 of the Act; or
- (b) if the property consists of shares of or an ownership interest in another entity or a debt obligation or loan, the book value of the shares, ownership interest, debt obligation or loan that would be reported on a balance sheet of the insurer prepared as of the particular time in accordance with section 104 of the Act.

#### MATTERS PRESCRIBED FOR THE PURPOSES OF SECTION 435.14 OF THE ACT

##### Total assets for purposes of s. 435.14 of the Act

21. (1) For the purposes of section 435.14 of the Act, the total assets of an insurer at a particular time is the amount calculated using the formula,

$$A - B$$

in which,

"A" is the total amount of the assets reported on the insurer's last balance sheet prepared in accordance with section 104 of the Act before that time, and

"B" is the total amount of the assets included in the value of "A" that are assets of a subsidiary of the insurer that is,

- (a) a financial institution, or
- (b) a subsidiary of a financial institution that is not a subsidiary of the financial institution only because it is a subsidiary of the insurer.

(2) For the purposes of section 435.14 of the Act, the following rules apply for the purposes of determining the value of assets that are acquired or transferred:

1. The value of assets that are acquired is,
  - i. the fair market value of the assets if the assets are shares of or ownership interests in an entity and the value of the assets of that entity will be included in the annual statement of the insurer after the acquisition, or
  - ii. the purchase price of the assets in any other case.
2. The value of assets that are transferred is,
  - i. the value of the assets as stated in the insurer's last annual statement if the assets are shares of or ownership interests in an entity and the value of the entity's assets was included in the insurer's last annual statement before the transfer, or
  - ii. the book value of the assets as stated in the insurer's last annual statement prepared before the transfer, in any other case.
- (3) For the purposes of clause 435.14 (3) (c) of the Act, subsection 435.14 (1) of the Act does not apply,
  - (a) to the acquisition by an insurer or its subsidiary of shares of or ownership interests in an entity in circumstances in which the approval of the Superintendent is required under section 435.1 of the Act;
  - (b) to a transfer or acquisition that is a transaction or part of a series of transactions between the insurer and a financial institution as a result of the insurer's participation in one or more syndicated loans with that financial institution; or
  - (c) to an acquisition or transfer that has been approved by the Superintendent under a provision of the Act or this Regulation.



## COMMENCEMENT

## Commencement

22. This Regulation comes into force on the later of the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.

## RÈGLEMENT DE L'ONTARIO 121/08

pris en application de la

## LOI SUR LES ASSURANCES

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## ACTIVITÉS DE PLACEMENT ET DE PRÊT — ASSUREURS-VIE

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## Champ d'application

1. (1) Le présent règlement s'applique aux assureurs qui sont assujettis à la partie XVII de la Loi et titulaires d'un permis délivré en vertu de celle-ci les autorisant à faire souscrire de l'assurance-vie, à l'exclusion toutefois des sociétés fraternelles.

(2) Sauf disposition contraire, la mention d'un assureur dans le présent règlement vaut mention d'un assureur auquel s'applique celui-ci.

**Définitions**

2. (1) Les définitions qui suivent s'appliquent au présent règlement.

«coentreprise» Entité immobilière présentant les caractéristiques suivantes :

- a) elle a été créée par un assureur, ou une entité désignée contrôlée par lui, et une ou plusieurs autres personnes dans le but d'exercer des activités commerciales déterminées;
- b) l'assureur ou l'entité désignée a acquis et détient un intérêt de groupe financier dans elle;
- c) les personnes qui l'ont créée ont convenu d'exercer un contrôle conjoint à son égard, quelle que soit l'importance de leur participation. («joint venture»)

«courtier de fonds mutuels» Entité dont la principale activité est celle d'un agent intermédiaire dans la vente de parts, d'actions ou d'autres intérêts d'un fonds mutuel et dans la perception des paiements y afférents, à condition que :

- a) le produit de la vente soit versé au fonds, déduction faite de la commission de vente et des frais de service;
- b) le fait que la vente comporte une commission et des frais de service soit porté à la connaissance de l'acquéreur avant l'achat. («mutual fund dealer»)

«entité désignée» Relativement à un assureur, toute entité qui n'est pas l'une ou l'autre des entités suivantes :

- a) une coentreprise;
- b) une institution financière;
- c) la filiale d'une institution financière qui n'est pas une filiale de cette dernière du seul fait qu'elle est une filiale de l'assureur. («designated entity»)

«entité immobilière» S'entend :

- a) soit d'une entité dont l'activité consiste principalement en la détention ou en la gestion de biens immeubles ou en la prise d'autres mesures à leur égard;
- b) soit d'une entité qui se livre principalement à la détention ou au commerce :
  - (i) soit d'actions ou de titres de participation d'une entité visée à l'alinéa a),
  - (ii) soit d'actions ou de titres de participation d'une autre entité qui se livre principalement à la détention ou au commerce d'actions ou de titres de participation d'une entité visée à l'alinéa a). («real property entity»)

«entité immobilière apparentée» Relativement à un assureur, s'entend :

- a) soit d'une entité immobilière, autre qu'une entité désignée contrôlée par l'assureur, à l'égard de laquelle l'assureur ou l'entité désignée qu'il contrôle est propriétaire bénéficiaire d'un nombre d'actions ou de titres de participation tel qu'il détient un intérêt de groupe financier dans l'entité immobilière;
- b) soit d'une entité immobilière contrôlée par une entité immobilière visée à l'alinéa a). («related real property entity»)

«entité s'occupant d'affacturage» Entité dont l'activité se limite à l'affacturage, y compris l'octroi de prêts et la levée de fonds en vue de financer cette activité. («factoring entity»)

«entité s'occupant de crédit-bail» Entité dont l'activité est limitée au crédit-bail de biens meubles, notamment :

- a) la conclusion de contrats de vente conditionnelle portant sur des biens meubles et l'acceptation de la cession de tels contrats;
- b) l'administration de contrats de crédit-bail et de contrats de vente conditionnelle pour le compte d'une autre personne;
- c) la levée de fonds pour financer ses propres activités et le placement de ces fonds jusqu'à leur utilisation à cette fin. («financial leasing entity»)

«entité s'occupant de financement» Entité qui :

- a) d'une part, exerce l'une ou l'autre des activités suivantes :
  - (i) l'émission de cartes de paiement, de crédit ou de débit et, conjointement avec d'autres établissements, y compris les institutions financières, l'utilisation d'un système de telles cartes,
  - (ii) l'octroi ou le refinancement de prêts ou la conclusion de tout autre arrangement semblable visant à consentir des fonds ou du crédit;
- b) d'autre part, n'est pas l'une ou l'autre des entités suivantes :
  - (i) une institution financière,
  - (ii) une entité s'occupant d'affacturage,

- (iii) une entité s'occupant de crédit-bail qui est une entité admissible au titre du présent règlement,
- (iv) une entité s'occupant de financement spécial qui se livre à l'octroi ou au refinancement de prêts seulement au profit d'entités qu'elle contrôle ou dans lesquelles elle a un intérêt de groupe financier ou qui conclut des arrangements semblables visant à consentir des fonds ou du crédit seulement avec de telles entités. («finance entity»)

«entité s'occupant de services financiers» Entité qui est, selon le cas :

- a) une institution financière;
- b) une entité indiquée à l'une ou l'autre des dispositions 1 à 11 du paragraphe 5 (1);
- c) toute autre entité dont l'activité commerciale principale consiste en la fourniture de services financiers. («financial services entity»)

«immeuble résidentiel» Bien immeuble qui comprend un ou plusieurs bâtiments dont au moins la moitié de la surface de plancher sert ou doit servir de local d'habitation. («residential real property»)

«participation minoritaire» Relativement à une entité contrôlée par un assureur, participation dans l'entité qui est détenue par une personne qui n'est ni l'assureur ni une autre entité contrôlée par lui. («minority interest»)

«tierce partie» Relativement à un assureur, une autre personne qui n'est :

- a) ni une entité désignée contrôlée par l'assureur;
- b) ni une entité immobilière apparentée à l'assureur. («third party»)

«véhicule automobile» Véhicule motorisé conçu pour être utilisé principalement sur la voie publique pour le transport de personnes ou de choses, à l'exclusion de ce qui suit :

- a) les ambulances ou les véhicules de pompiers au sens de l'article 61 du *Code de la route*;
- b) les camions utilitaires;
- c) les autobus;
- d) les autres véhicules motorisés destinés à un usage particulier qui comportent d'importants éléments spéciaux de nature à les rendre propres à un usage spécifique. («motor vehicle»)

(2) Pour l'application de l'article 435.5 de la Loi et du présent règlement, une entité s'occupant de financement spécial est une entité qui acquiert et détient des actions ou des titres de participation d'entités dans lesquelles l'assureur peut acquérir, détenir ou augmenter un intérêt de groupe financier dans le cadre d'activités de financement spécial.

(3) Pour l'application du présent règlement et sous réserve du paragraphe (4), le capital de l'assureur correspond, à une date donnée, au montant calculé selon la formule suivante :

$$A - B$$

où :

«A» représente le total des montants suivants qui seraient compris dans ses états financiers si ceux-ci étaient établis conformément à l'article 104 de la Loi à la date donnée :

1. Le montant des participations minoritaires.
2. Le montant des titres secondaires.
3. Le montant de l'excédent de l'actif sur le passif.
4. Le montant de l'excédent du montant total reporté des gains en capital réalisés sur le montant total reporté des pertes en capital subies, découlant des transactions immobilières et des opérations sur actions effectuées par l'assureur ou tout autre assureur contrôlé par lui qui est titulaire d'un permis l'autorisant à faire souscrire de l'assurance-vie.

«B» représente le montant attribué à l'achalandage qui serait compris dans les états financiers visés dans la définition de l'élément «A».

(4) Dans le calcul du capital de l'assureur selon le paragraphe (3), il ne peut être inclus un montant au titre de valeurs mobilières que si celles-ci répondent aux conditions suivantes :

- a) selon leurs termes, elles prennent rang, quant aux droits de paiement, après les dettes liées aux polices et les autres dettes de l'entité qui les a émises, à l'exception des dettes dont le paiement, selon leurs propres termes, est de rang égal ou inférieur à ces valeurs mobilières;
- b) elles sont émises et entièrement libérées;



c) s'il s'agit de titres secondaires ou d'actions privilégiées :

- (i) leur échéance minimale initiale est d'au moins cinq ans ou elles n'ont pas d'échéance déclarée,
- (ii) elles ne peuvent être remboursées ou rachetées ni achetées pour annulation durant les cinq premières années suivant leur émission.

**Prêt commercial : questions prescrites**

3. (1) Pour l'application du sous-alinéa a) (i) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi, le montant prescrit est de 250 000 \$.

(2) Les organismes internationaux prescrits pour l'application des sous-alinéas a) (iii) et b) (ii) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi sont les suivants :

- 1. La Banque internationale pour la reconstruction et le développement.
- 2. La Société financière internationale.
- 3. La Banque interaméricaine de développement.
- 4. La Banque asiatique de développement.
- 5. La Banque africaine de développement.
- 6. La Banque européenne d'investissement.
- 7. La Banque de développement des Caraïbes.
- 8. La Banque nordique d'investissement.
- 9. La Banque européenne pour la reconstruction et le développement.
- 10. La Banque de développement du Conseil de l'Europe.

(3) Pour l'application des sous-alinéas b) (iv) et c) (i) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi, les valeurs mobilières qui sont des titres de créance, des actions ou des titres de participation sont largement distribuées si les conditions suivantes sont remplies :

1. Il s'agit de titres de créance qui sont exemptés, quant à leur placement, du dépôt d'un prospectus exigé par une loi de l'Ontario, du Canada, d'une autre province du Canada ou d'une autorité législative de l'extérieur du Canada et qui présentent l'une ou l'autre des caractéristiques suivantes :

i. au moins 90 pour cent de leur principal maximal autorisé est détenu par une ou plusieurs personnes — autres que l'assureur en cause et ses filiales — et :

- A. soit ils ont été émis à au moins 25 personnes, autres que l'assureur en cause et ses filiales — dans les six mois suivant la date d'émission du premier titre de créance,
- B. soit ils sont émis de façon continue et le nombre moyen de détenteurs — autres que l'assureur en cause et ses filiales — s'élève à au moins 25,

ii. au moment de leur placement initial, ils remplissaient au moins trois des conditions suivantes :

- A. ils avaient une durée initiale inférieure à un an,
- B. ils avaient été évalués par une agence d'évaluation,
- C. leur placement avait été fait par l'intermédiaire d'une personne habilitée à faire le commerce des valeurs mobilières,
- D. leur placement avait été fait en conformité avec une circulaire ou une notice d'offre ou un document semblable relatif au placement de valeurs mobilières.

2. Il s'agit de valeurs mobilières autres que des titres de créance visés à la disposition 1 qui présentent l'une ou l'autre des caractéristiques suivantes :

- i. elles sont officiellement cotées à une bourse reconnue,
- ii. elles font l'objet d'un prospectus relatif à leur émission qui a été déposé aux termes d'une loi de l'Ontario, du Canada, d'une autre province du Canada ou d'une autorité législative de l'extérieur du Canada.

**Filiale prescrite**

4. Pour l'application de la définition de «filiale prescrite» au paragraphe 432 (1) de la Loi, une filiale prescrite de l'assureur est l'une ou l'autre des filiales suivantes :

a) pour l'application du paragraphe 435.9 (1) de la Loi, toute filiale de l'assureur;

- b) pour l'application de la partie XVII de la Loi, à l'exclusion du paragraphe 435.9 (1), une filiale de l'assureur qui n'est :
- (i) ni une institution financière,
  - (ii) ni une entité qui est une filiale d'une institution financière pour une raison autre qu'elle est une filiale de l'assureur.

#### INTÉRÊTS DE GROUPE FINANCIER DANS DES ENTITÉS ADMISSIBLES

##### Entités admissibles

5. (1) Pour l'application de la définition de «entité admissible» au paragraphe 432 (1) de la Loi, chacune des entités suivantes est une entité admissible à l'égard de l'assureur :

1. Un conseiller en placement.
  2. Un gestionnaire de portefeuille.
  3. Une entité s'occupant d'affacturage.
  4. Une entité s'occupant de financement.
  5. Une entité s'occupant de crédit-bail, mais uniquement si les conditions prescrites par l'article 6 sont remplies.
  6. Un courtier ou agent d'assurances, si l'entité est titulaire d'un permis délivré en vertu de la Loi, est inscrite sous le régime de la *Loi sur les courtiers d'assurance inscrits* ou est inscrite sous le régime d'une loi comparable d'une autre autorité législative du Canada ou titulaire d'un permis délivré en vertu de celle-ci.
  7. Un courtier ou agent en hypothèques, si l'entité est inscrite sous le régime de la *Loi sur les courtiers en hypothèques*, de la *Loi de 2006 sur les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques* ou d'une loi comparable d'une autre autorité législative du Canada ou est titulaire d'un permis délivré en vertu de l'une ou l'autre loi.
  8. Un courtier de fonds mutuels.
  9. Un fonds mutuel, au sens du paragraphe 1 (1) de la *Loi sur les valeurs mobilières*, dont l'activité se limite au placement de ses fonds afin d'offrir des services de diversification et de gestion professionnelle des placements aux détenteurs de ses valeurs mobilières.
  10. Un fonds d'investissement à capital fixe, au sens du paragraphe 1 (1) de la *Loi sur les valeurs mobilières*, dont l'activité se limite au placement de ses fonds afin d'offrir des services de diversification et de gestion professionnelle des placements aux détenteurs de ses valeurs mobilières et dont les valeurs mobilières :
    - i. sont diffusées au public en nombre fixe dans le cadre d'une émission faite en vertu d'un prospectus provisoire, d'un prospectus, d'un prospectus simplifié ou d'un document de même nature conformément aux lois d'une province du Canada ou d'un pays étranger,
    - ii. sont négociées sur les marchés reconnus et réglementés,
    - iii. font l'objet, à une date d'échéance fixe, d'une liquidation dont le produit est réparti entre les détenteurs en fonction du nombre de valeurs mobilières qu'ils détiennent.
  11. Un séquestre ou un liquidateur.
  12. Une entité, autre qu'une institution financière, dont les activités commerciales se limitent à une ou plusieurs des activités commerciales prescrites par le paragraphe (2) et qui remplit les conditions éventuelles se rapportant à ces activités qui sont énoncées à ce paragraphe.
- (2) Les activités commerciales prescrites pour l'application de la disposition 12 du paragraphe (1) sont les suivantes :
1. Fournir des services financiers.
  2. Détenir ou gérer des biens immeubles ou prendre d'autres mesures à leur égard.
  3. Exercer l'activité d'un courtier immobilier ou autrement agir en qualité de mandataire pour des vendeurs, des acheteurs, des locataires ou des bailleurs de biens immeubles ou fournir des services de consultation ou d'évaluation en matière de biens immeubles.
  4. Faire la promotion de marchandises et de services auprès des détenteurs de cartes de paiement, de crédit ou de débit émises par l'assureur.
  5. Fournir au Canada des services de traitement des données ou d'autres services de traitement de l'information se rapportant aux institutions financières si les conditions suivantes sont remplies :
    - i. l'assureur a mis au point les systèmes de traitement à ses propres fins et ces systèmes font partie intégrante de ses activités,

- ii. les services sont fournis à des entités dans lesquelles l'assureur détient un intérêt de groupe financier et qui ne fournissent pas des services de traitement de l'information à d'autres entités.
6. Recueillir, manipuler et transmettre de l'information :
- i. soit principalement de nature financière ou économique,
  - ii. soit afférente aux activités commerciales exercées par les entités qui sont des entités admissibles à l'égard des assureurs auxquels s'applique le présent règlement.
7. Fournir des services consultatifs ou autres en matière de conception, de développement et de mise sur pied de services de gestion de l'information.
8. Concevoir, développer ou commercialiser des logiciels.
9. Concevoir, développer, fabriquer ou vendre du matériel informatique indispensable à la prestation de services d'information concernant les activités commerciales d'institutions financières ou à la prestation de services financiers, s'il s'agit d'une activité accessoire à toute activité commerciale visée à la disposition 6, 7 ou 8 et exercée par l'assureur.
10. S'occuper, notamment en les concevant, les développant, les détenant, les gérant, les fabriquant ou les vendant, de systèmes de transmission de données, de sites d'information, de moyens de communication ou de plateformes informatiques ou de portails d'information qui sont utilisés :
- i. soit pour fournir de l'information principalement de nature financière ou économique,
  - ii. soit pour fournir de l'information afférente aux activités commerciales exercées par les entités qui sont des entités admissibles à l'égard des assureurs auxquels s'applique le présent règlement,
  - iii. soit à une fin ou dans des circonstances substantiellement reliées à la fourniture de produits ou services financiers par l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier.
11. S'occuper, notamment en les concevant, les développant, les détenant, les gérant, les fabriquant ou les vendant, de systèmes de transmission de données, de sites d'information, de moyens de communication ou de plateformes informatiques ou de portails d'information qui sont utilisés pour la prestation de services d'information.
12. Fournir des services spéciaux de gestion commerciale et des services de consultation.
13. Faire fonction de gardien de biens.
14. Vendre ce qui suit :
- i. des billets, y compris de loterie, à titre de service public non lucratif, pour des fêtes ou activités spéciales, temporaires, à caractère non commercial et d'intérêt local, municipal, provincial ou national,
  - ii. des billets de transport en commun urbain,
  - iii. des billets d'une loterie parrainée par le gouvernement fédéral, un gouvernement provincial ou une administration municipale, ou encore par un de leurs organismes.
15. Fournir des services raisonnablement connexes aux activités de l'assureur, notamment un ou plusieurs des services suivants :
- i. offrir des services en matière de sécurité et prévention, de gestion des risques et d'évaluation ou de règlement des sinistres,
  - ii. fournir et exploiter des centres de rééducation et de perfectionnement,
  - iii. fournir de l'équipement informatique aux courtiers et agents d'assurances,
  - iv. fournir de l'aide aux courtiers et agents d'assurances,
  - v. exploiter des centres de réparation et d'évaluation.
16. Fournir des services aux seules entités suivantes :
- i. l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier autorisé en vertu de la Loi ou du présent règlement,
  - ii. une ou plusieurs des entités indiquées à la sous-disposition i et :
    - A. soit une entité s'occupant de services financiers,
    - B. soit une entité qui est une entité admissible à l'égard de l'assureur et dans laquelle une entité s'occupant de services financiers détient un intérêt de groupe financier.
17. Exercer toute autre activité commerciale qui n'est pas visée aux dispositions 1 à 16 et qui se rapporte :



- i. soit à la promotion, à la vente, à la livraison ou à la distribution d'un service ou d'un produit financiers qui est fourni par l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier autorisé en vertu de la Loi ou du présent règlement,
  - ii. soit à la promotion, à la vente, à la livraison ou à la distribution d'un service ou d'un produit financiers qui est fourni par une entité s'occupant de services financiers, si l'activité commerciale de l'entité consiste, en grande partie, en une activité visée à la sous-disposition i.
- 18. Acquérir ou détenir des actions ou des titres de participation d'entités dans lesquelles l'assureur est autorisé, en vertu de la Loi ou du présent règlement, à détenir un intérêt de groupe financier.
- (3) Malgré le paragraphe (1) :
  - a) l'entité qui est une entité admissible au titre de l'une ou l'autre des dispositions 1, 2, 4 et 6 à 11 du paragraphe (1) ne cesse pas de l'être du seul fait qu'elle exerce une ou plusieurs activités commerciales exercées par une autre entité indiquée à l'une ou l'autre de ces dispositions ou une ou plusieurs activités commerciales prescrites par le paragraphe (2), pourvu qu'elle remplisse les conditions éventuelles se rapportant à l'autre entité ou à l'activité commerciale;
  - b) l'entité qui est une entité admissible au titre de la disposition 3 ou 5 du paragraphe (1) cesse de l'être si elle exerce une activité commerciale prescrite par le paragraphe (2);
  - c) l'entité indiquée au paragraphe (1) n'est pas une entité admissible à l'égard de l'assureur si, selon le cas :
    - (i) ses activités commerciales comprennent l'acceptation de dépôts,
    - (ii) elle exerce, au Canada, une activité de crédit-bail mobilier qui empêcherait une entité s'occupant de crédit-bail exerçant une telle activité d'être une entité admissible à l'égard de l'assureur.
- (4) Pour l'application du paragraphe 435.1 (1) de la Loi et sous réserve des paragraphes (5), (6), (7) et (8) du présent article, l'assureur peut, sous réserve de l'article 435.7 de la Loi, acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible uniquement si toutes les conditions suivantes qui s'appliquent en l'occurrence sont remplies :
  - 1. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans l'une ou l'autre des entités admissibles suivantes qu'avec l'approbation du surintendant :
    - i. Une institution financière.
    - ii. Une entité qui est une entité admissible au titre la disposition 1, 2 ou 8 du paragraphe (1) et qui :
      - A. soit n'est pas inscrite sous le régime de la *Loi sur les valeurs mobilières* ou d'une loi comparable d'une autre autorité législative du Canada,
      - B. soit est dispensée des exigences relatives à l'inscription.
    - iii. Une entité s'occupant de financement.
    - iv. Une entité s'occupant d'affacturage ou une entité s'occupant de crédit-bail sauf si, au moment de l'acquisition de l'intérêt ou par la suite, l'entité admissible est une filiale de l'assureur.
    - v. Une entité admissible qui exerce une activité visée à la disposition 1, 6, 7, 8, 9, 10, 11, 15 ou 17 du paragraphe (2).
    - vi. Une entité qui est une entité admissible au titre de la disposition 9 ou 10 du paragraphe (1) et qui n'est pas réglementée par la *Loi sur les valeurs mobilières* ou une loi comparable d'une autre autorité législative du Canada.
    - vii. Une entité admissible qui exerce une activité visée à la disposition 18 du paragraphe (2) sauf si, au moment de l'acquisition de l'intérêt ou par la suite, l'entité admissible est une filiale de l'assureur et ne détient pas de participation dans une entité dans laquelle l'assureur n'est pas autorisé à acquérir un intérêt de groupe financier sans l'approbation du surintendant.
  - 2. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans l'une ou l'autre des entités admissibles suivantes que s'il contrôle l'entité admissible après l'acquisition ou que l'acquisition et la détention de l'intérêt sont autorisées en vertu de la disposition 3 :
    - i. Une institution financière.
    - ii. Une entité s'occupant d'affacturage.
    - iii. Une entité s'occupant de financement.
    - iv. Une entité s'occupant de crédit-bail.
    - v. Une entité admissible qui exerce une activité visée à la disposition 18 du paragraphe (2) si cette activité comprend l'acquisition d'un intérêt de groupe financier dans une ou plusieurs des entités admissibles indiquées aux sous-dispositions i à iv.

3. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible indiquée à l'une ou l'autre des sous-dispositions 2 i à v, sans la contrôler après l'acquisition, que si, après l'acquisition, la valeur totale des placements et des prêts suivants ne dépasse pas 50 pour cent de son capital :
  - i. Les actions de personnes morales et les titres de participation d'entités non constituées en personne morale dont sont propriétaires bénéficiaires l'assureur ou des entités admissibles indiquées aux sous-dispositions 2 i à v dans lesquelles l'assureur détient un intérêt de groupe financier mais qu'il ne contrôle pas.
  - ii. Les prêts dont chacun est détenu par l'assureur ou une entité admissible visée à la sous-disposition i.
  - iii. Les garanties existantes dont chacune a été consentie par l'assureur ou une entité admissible visée à la sous-disposition i ou au nom d'entités admissibles visées à cette sous-disposition.
4. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité dont l'activité est visée à la disposition 11 du paragraphe (2) que si la somme des valeurs suivantes ne dépasse pas cinq pour cent de son capital :
  - i. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales, soit individuellement, soit conjointement, acquerraient dans l'entité admissible.
  - ii. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales détiennent déjà, soit individuellement, soit conjointement, dans d'autres entités qui exercent une activité visée à la disposition 11 du paragraphe (2) et dans lesquelles l'assureur détient un intérêt de groupe financier.
  - iii. La valeur totale des prêts non remboursés que l'assureur et ses filiales ont consentis, soit individuellement, soit conjointement, à des entités qui exercent une activité visée à la disposition 11 du paragraphe (2) et dans lesquelles l'assureur détient un intérêt de groupe financier.
- (5) L'assureur peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible dont les activités comprennent l'acquisition et la détention d'un intérêt de groupe financier dans d'autres entités si les conditions suivantes sont remplies :
  - i. l'entité admissible est une telle entité en raison du paragraphe (1),
  - ii. l'assureur serait, si ce n'était de la disposition 1, 2 ou 3 du paragraphe (4), autorisé en vertu de l'article 435.1, 435.2, 435.3, 435.4, 435.5 ou 435.6 de la Loi à acquérir un intérêt de groupe financier dans l'autre entité.
- (6) La disposition 3 du paragraphe (4) ne s'applique pas si l'entité admissible est constituée en personne morale ou organisée sous le régime des lois d'une autorité législative de l'extérieur du Canada et que ces lois ou les pratiques commerciales de cette autorité législative interdisent à l'assureur d'en détenir le contrôle.
- (7) S'il contrôle une entité admissible indiquée aux sous-dispositions 2 i à v du paragraphe (4), l'assureur peut, avec l'approbation du surintendant, se départir du contrôle tout en maintenant dans celle-ci un intérêt de groupe financier uniquement si la valeur totale de ses placements et prêts indiqués aux sous-dispositions 3 i à iii de ce paragraphe ne dépasse pas 50 pour cent de son capital après qu'il s'est départi du contrôle.
- (8) Si l'assureur propose, dans le cadre de ses activités de financement spécial, d'acquérir, d'augmenter ou de réduire un intérêt de groupe financier dans une entité :
  - a) d'une part, la question de savoir si l'entité est une entité admissible à l'égard de l'assureur est décidée sans tenir compte de l'alinéa (3) c);
  - b) d'autre part, les dispositions 1, 2 et 3 du paragraphe (4) et le paragraphe (7) ne s'appliquent pas.
- (9) Les règles suivantes s'appliquent aux fins du calcul de la valeur totale des placements et des prêts pour l'application des dispositions 3 et 4 du paragraphe (4) :
  1. Aucun montant ne doit être inclus à l'égard des actions ou des titres de participation acquis dans les circonstances dans lesquelles s'applique le paragraphe 435.3 (1) ou 435.4 (1), l'article 435.5 ou le paragraphe 435.6 (1) de la Loi.
  2. La valeur d'un titre de participation détenu par un assureur ou d'un prêt détenu par lui, à une date donnée, correspond à la valeur comptable du titre de participation ou du prêt qui serait déclarée au bilan de l'assureur si celui-ci était établi à cette date conformément à l'article 104 de la Loi.
  3. La valeur d'une garantie correspond à sa valeur nominale.

#### Entités s'occupant de crédit-bail

6. (1) Les conditions qui doivent être remplies pour qu'une entité s'occupant de crédit-bail soit une entité admissible sont les suivantes :
  1. L'entité s'occupant de crédit-bail ne dirige pas ses clients, présents ou potentiels, vers des marchands donnés de biens qui font l'objet du contrat de crédit-bail ou de vente conditionnelle.



2. L'entité s'occupant de crédit-bail ne conclut pas des contrats de crédit-bail ni n'accepte la cession de contrats de vente conditionnelle portant sur des véhicules automobiles dont le poids brut est inférieur à 21 tonnes métriques.
  3. L'entité s'occupant de crédit-bail ne conclut pas, avec des particuliers, des contrats de vente conditionnelle portant sur des meubles meublants ni n'accepte la cession de tels contrats.
  4. L'entité s'occupant de crédit-bail ne conclut pas ni n'accepte la cession de contrats de crédit-bail ou de vente conditionnelle qui n'ont pas pour principal objet d'accorder du crédit au locataire ou à l'acheteur.
  5. L'entité s'occupant de crédit-bail ne conclut pas des contrats de crédit-bail ou des contrats de vente conditionnelle portant sur des biens meubles, y compris ceux fixés à des biens immeubles, à l'exclusion des meubles meublants, sauf s'il s'agit de biens meubles qui ont été :
    - i. soit choisis par le locataire ou l'acheteur et acquis à sa demande par l'entité,
    - ii. soit acquis antérieurement par l'entité aux termes d'un autre contrat de crédit-bail ou de vente conditionnelle.
  6. L'entité s'occupant de crédit-bail ne conclut pas des contrats de crédit-bail ou des contrats de vente conditionnelle qui lui imposent l'obligation de faire l'installation, la promotion, l'entretien, le nettoyage ou la réparation des biens faisant l'objet des contrats.
  7. Tout contrat de crédit-bail ou de vente conditionnelle conclu par l'entité s'occupant de crédit-bail prévoit :
    - i. soit la cession au locataire ou à l'acheteur des garanties ou autres engagements assumés par le fabricant ou le fournisseur à l'égard des biens meubles faisant l'objet du contrat,
    - ii. soit les responsabilités de l'entité quant aux garanties et autres engagements assumés par le fabricant ou le fournisseur à l'égard des biens meubles faisant l'objet du contrat.
  8. Tout contrat de crédit-bail conclu par l'entité s'occupant de crédit-bail doit :
    - i. d'une part, donner à l'entité un rendement au moins égal à l'investissement total qu'elle a fait dans les biens faisant l'objet du contrat,
    - ii. d'autre part, donner un taux de rendement raisonnable dans les circonstances compte tenu des conditions du contrat, ainsi que du taux de rendement demandé par d'autres locataires à l'égard du crédit-bail de biens semblables à des conditions similaires.
  9. La valeur résiduelle estimative totale de tous les biens loués visés à la disposition 4 du paragraphe (3) que détient l'entité s'occupant de crédit-bail ne dépasse pas 10 pour cent du coût d'acquisition total de ces biens pour elle.
- (2) La définition qui suit s'applique à la disposition 2 du paragraphe (1).
- «poids brut» Relativement à un véhicule automobile, s'entend du poids brut que le fabricant du véhicule spécifie comme étant :
- a) soit le poids en charge du véhicule;
  - b) soit, dans le cas d'un véhicule automobile conçu pour tirer une remorque, le poids en charge total du véhicule et de la remorque.
- (3) Pour l'application de la sous-disposition 8 ii du paragraphe (1), les facteurs suivants sont pris en compte dans le calcul du taux de rendement d'un contrat de crédit-bail :
1. Les frais de location prévus par le contrat.
  2. Les avantages fiscaux estimatifs que le contrat apporte à l'entité s'occupant de crédit-bail, notamment les crédits d'impôt et les déductions pour amortissement, que l'entité a le droit de demander à l'égard des biens faisant l'objet du contrat.
  3. Si le locataire ou un tiers avec lequel l'entité s'occupant de crédit-bail n'a pas de lien de dépendance a, au plus tard à la date de prise d'effet du contrat, convenu d'acheter les biens faisant l'objet du contrat ou en a garanti inconditionnellement la valeur de revente à l'expiration du contrat, le prix d'achat ou la valeur de revente garantie.
  4. Si la disposition 3 ne s'applique pas, le moindre de la valeur résiduelle estimative du bien faisant l'objet du contrat et de 25 pour cent du coût d'acquisition du bien.

#### Maintien des exceptions

7. (1) Sous réserve du paragraphe (3), les règles énoncées au paragraphe (2) s'appliquent à l'égard d'un intérêt de groupe financier détenu par un assureur dans les circonstances suivantes :
  1. L'assureur était autorisé en vertu d'une disposition donnée de la Loi ou des règlements à acquérir un intérêt de groupe financier dans une entité particulière et il en a fait l'acquisition.
  2. L'assureur n'est plus autorisé en vertu de la disposition donnée à détenir l'intérêt de groupe financier.



3. L'assureur pourrait être autorisé à détenir l'intérêt de groupe financier en vertu d'une autre disposition de la Loi ou du présent règlement.

(2) Dans les circonstances prévues au paragraphe (1), l'assureur a le droit de continuer de détenir l'intérêt de groupe financier en vertu de la disposition visée à la disposition 3 du même paragraphe s'il remplit les conditions nécessaires pour avoir le droit de détenir ainsi cet intérêt.

(3) Le paragraphe (1) ne s'applique pas à l'égard d'un intérêt de groupe financier si l'alinéa 435.3 (4) b), 435.4 (4) b) ou 435.6 (4) b) de la Loi s'applique.

#### APPROBATION DU SURINTENDANT

##### Critères d'approbation par le surintendant

8. Pour décider de donner ou non l'approbation prévue à l'alinéa 435.3 (4) b), 435.4 (4) b) ou 435.6 (1) a), b), c) ou d) de la Loi, le surintendant tient compte des critères suivants :

- a) la question de savoir s'il est raisonnable de s'attendre à ce que ce placement expose l'assureur à des risques indus;
- b) la question de savoir s'il est raisonnable de s'attendre à ce que ce placement gêne la supervision et la réglementation de l'assureur.

#### ACTIVITÉS DE FINANCEMENT SPÉCIAL

##### Intérêt de groupe financier dans le cadre d'activités de financement spécial

9. (1) Sous réserve des paragraphes (2) à (7), l'assureur peut, dans le cadre de ses activités de financement spécial, acquérir un intérêt de groupe financier dans d'autres entités.

(2) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial, d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans les entités suivantes :

- a) une entité qui est une institution financière pour l'application de la partie XVII de la Loi;
- b) une entité dont l'activité principale est le crédit-bail de véhicules automobiles au Canada dans le but de faire crédit à un client ou de financer l'acquisition d'un véhicule automobile par un client;
- c) une entité dont l'activité principale consiste à accorder provisoirement la possession de biens meubles, notamment des véhicules automobiles, à des clients au Canada dans un but autre que celui de financer l'acquisition par ceux-ci de ces biens;
- d) une entité qui agit à titre de courtier ou d'agent d'assurances au Canada.

(3) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial, de détenir un intérêt de groupe financier dans une entité pendant plus de 13 années consécutives.

(4) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial, d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité si la valeur comptable totale des actions et des titres de participation que l'assureur, ses filiales et les entités de l'assureur s'occupant de financement spécial détiennent — ou détiendraient de ce fait — dans l'entité dépasse ou dépasserait 250 millions de dollars.

(5) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial, d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité si la somme des valeurs suivantes dépasse ou dépasserait de ce fait 10 pour cent du capital de l'assureur :

1. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales, soit individuellement, soit conjointement, détiendraient dans l'entité.
2. La valeur totale des prêts non remboursés que l'assureur et ses filiales ont consentis, soit individuellement, soit conjointement, aux entités de l'assureur s'occupant de financement spécial.
3. La valeur comptable totale des actions et des titres de participation que détiennent l'assureur et ses filiales, soit individuellement, soit conjointement, dans les entités suivantes :
  - i. les entités de l'assureur s'occupant de financement spécial,
  - ii. les entités, autres que celles visées à la disposition 1, dans lesquelles l'assureur détient un intérêt de groupe financier dans le cadre de ses activités de financement spécial.

(6) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial, d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité que contrôle une entité de l'assureur s'occupant de financement spécial ou dans une entité dans laquelle l'entité de l'assureur s'occupant de financement spécial détient un intérêt de groupe financier, si la somme des valeurs suivantes dépasse ou dépasserait de ce fait 25 pour cent du capital de l'assureur :

1. La valeur comptable totale des actions et des titres de participation que détiennent l'assureur et ses filiales, soit individuellement, soit conjointement, dans l'entité s'occupant de financement spécial et dans les entités dans lesquelles celle-ci détient un intérêt de groupe financier.
  2. La valeur totale des prêts non remboursés que l'assureur et ses filiales ont consentis, soit individuellement, soit conjointement, à l'entité s'occupant de financement spécial et aux entités dans lesquelles celle-ci détient un intérêt de groupe financier.
- (7) Il est interdit à l'assureur, dans le cadre de ses activités de financement spécial — sauf du fait d'un placement d'une entité s'occupant de financement spécial que l'assureur contrôle — d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité si la somme des valeurs suivantes dépasse ou dépasserait de ce fait 25 pour cent du capital de l'assureur :
1. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales, soit individuellement, soit conjointement, acquerraient dans l'entité.
  2. La valeur comptable totale des actions et des titres de participation que détiennent l'assureur et ses filiales, soit individuellement, soit conjointement, dans les entités dans lesquelles l'assureur détient un intérêt de groupe financier dans le cadre de ses activités de financement spécial, autres que les entités dans lesquelles il a acquis un intérêt de groupe financier du fait d'un placement d'une entité de l'assureur s'occupant de financement spécial.
  3. La valeur totale des prêts non remboursés que l'assureur et ses filiales ont consentis, soit individuellement, soit conjointement, aux entités dans lesquelles l'assureur détient un intérêt de groupe financier dans le cadre de ses activités de financement spécial, autres que les entités dans lesquelles il a acquis un intérêt de groupe financier du fait d'un placement d'une entité de l'assureur s'occupant de financement spécial.
- (8) Pour l'application du présent article et de l'article 10, est une entité de l'assureur s'occupant de financement spécial l'entité s'occupant de financement spécial dans laquelle l'assureur détient un intérêt de groupe financier.

#### Entités s'occupant de financement spécial

10. (1) Malgré l'article 435.5 de la Loi, il est interdit à l'assureur d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité s'occupant de financement spécial si, selon le cas :

- a) la valeur des titres de créance non remboursés de l'entité s'occupant de financement spécial et des entités de l'assureur s'occupant de financement spécial que l'entité s'occupant de financement spécial contrôle, à l'exception des titres de créance qui sont dus à l'assureur ou à une entité que l'assureur contrôle et qui figurent dans leur bilan non consolidé respectif, dépasse le double de la somme des valeurs suivantes :
    - (i) l'excédent de la valeur de l'actif de l'entité s'occupant de financement spécial sur son passif, figurant dans son bilan non consolidé,
    - (ii) la valeur des participations que des personnes autres que l'assureur ou une entité qu'il contrôle détiennent dans des entités de l'assureur s'occupant de financement spécial que contrôle l'entité s'occupant de financement spécial, figurant dans le bilan, à la valeur de consolidation, de l'entité s'occupant de financement spécial;
  - b) l'entité s'occupant de financement spécial contrôle une entité visée aux alinéas 9 (2) a) à d) ou détient des actions ou des titres de participation d'une telle entité;
  - c) la valeur comptable totale des actions et des titres de participation — à l'exception des actions ou des titres de participation que l'entité s'occupant de financement spécial détient dans une entité de l'assureur s'occupant de financement spécial qu'elle contrôle — que l'assureur, l'entité s'occupant de financement spécial, les filiales de l'assureur ou les autres entités de l'assureur s'occupant de financement spécial détiennent — ou détiendraient de ce fait — dans une entité dans laquelle l'entité s'occupant de financement spécial détient un intérêt de groupe financier dépasse 250 millions de dollars;
  - d) la somme des valeurs visées aux dispositions 1, 2 et 3 du paragraphe 9 (5) dépasse ou dépasserait 10 pour cent du capital de l'assureur;
  - e) la somme des valeurs visées aux dispositions 1 et 2 du paragraphe 9 (6) dépasse ou dépasserait 25 pour cent du capital de l'assureur.
- (2) Malgré l'article 435.5 de la Loi, il est interdit à l'assureur d'acquérir ou de détenir un intérêt de groupe financier dans une entité s'occupant de financement spécial dans les cas suivants :
- a) l'entité s'occupant de financement spécial détient, depuis plus de 13 années consécutives, un intérêt de groupe financier dans une entité qui n'est pas une autre entité de l'assureur s'occupant de financement spécial;
  - b) l'entité s'occupant de financement spécial et soit l'assureur ou une des autres entités de l'assureur s'occupant de financement spécial ou plusieurs d'entre eux détiennent, tour à tour depuis plus de 13 années consécutives, un intérêt de groupe financier dans une entité qui n'est pas une entité de l'assureur s'occupant de financement spécial.



(3) Pour l'application du paragraphe (2), il n'est pas tenu compte, dans le calcul de la période pendant laquelle une entité de l'assureur s'occupant de financement spécial détient un intérêt de groupe financier, du temps écoulé avant que l'entité n'acquière cette qualité.

## AUTRES PLACEMENTS

### Placements indépendants de la volonté de l'assureur

11. Pour l'application de l'alinéa 435.6 (1) f) de la Loi, l'assureur peut acquérir ou augmenter un intérêt de groupe financier dans une entité, peu importe s'il s'agit d'une entité admissible ou que le placement soit autorisé par ailleurs aux termes de la Loi ou du présent règlement, si l'acquisition ou l'augmentation résulte d'un ou de plusieurs événements indépendants de la volonté de l'assureur.

## RESTRICTIONS ET LIMITES RELATIVES AUX ACTIVITÉS COMMERCIALES DE L'ASSUREUR

### Limite relative aux prêts garantis par une hypothèque sur des immeubles résidentiels

12. (1) Pour l'application de l'article 435.7 de la Loi, il est interdit à l'assureur de consentir un prêt au Canada ou d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité admissible visée au paragraphe 5 (1) qui consent un prêt au Canada si les conditions suivantes sont réunies :

- a) le prêt est garanti par un immeuble résidentiel pour l'achat, la rénovation ou l'amélioration de cet immeuble, ou pour le renouvellement d'un prêt consenti à cette fin;
  - b) la somme du prêt et du solde impayé de toutes les autres dettes garanties par une hypothèque de rang égal ou supérieur excède 80 pour cent de la valeur de l'immeuble au moment où l'assureur consent le prêt ou acquiert l'intérêt.
- (2) Le paragraphe (1) ne s'applique pas :
- a) au prêt consenti ou garanti en vertu de la *Loi nationale sur l'habitation* (Canada) ou de toute autre loi du Canada ou de l'Ontario aux termes de laquelle est fixée une limite différente sur la valeur de l'immeuble qui constitue l'objet de la garantie;
  - b) au prêt qui serait interdit par ailleurs en raison de l'alinéa (1) b) si le remboursement de la portion qui excède le plafond fixé à cet alinéa est garanti ou assuré par un organisme gouvernemental ou par une compagnie d'assurance agréée par le surintendant;
  - c) à l'acquisition par l'assureur de valeurs mobilières émises ou garanties par une entité et qui confèrent une sûreté sur un immeuble résidentiel soit en faveur d'un fiduciaire, soit de toute autre manière, ni aux prêts consentis par l'assureur à l'entité en contrepartie de l'émission des valeurs mobilières;
  - d) au prêt garanti par une hypothèque consentie à l'assureur en garantie du prix de vente d'un bien dont il dispose, y compris aux fins de la réalisation d'une sûreté.

### Restriction relative aux prêts consentis à certaines entités

13. (1) Le présent article s'applique si l'assureur détient un intérêt de groupe financier dans une entité admissible indiquée à l'une ou l'autre des sous-dispositions 2 i à v du paragraphe 5 (4) et qu'il a le droit de détenir un tel intérêt en raison soit de la disposition 3 du paragraphe 5 (4), soit du paragraphe 5 (7).

(2) Il est interdit à l'assureur de consentir un prêt à l'entité admissible ou de consentir une garantie au nom de celle-ci, et de permettre à une de ses filiales de le faire, si la valeur totale des placements et des prêts visés aux sous-dispositions 3 i à iii du paragraphe 5 (4) excéderait de ce fait 50 pour cent du capital de l'assureur.

(3) Les dispositions 1, 2 et 3 du paragraphe 5 (9) s'appliquent aux fins du calcul de la valeur totale des placements et des prêts pour l'application du paragraphe (2).

### Restriction relative aux garanties

14. (1) Pour l'application de l'article 435.7 de la Loi, il est interdit à l'assureur de garantir au nom d'un tiers le paiement ou le remboursement d'une somme d'argent, sauf si :

- a) d'une part, il s'agit d'une somme fixe avec ou sans intérêts;
- b) d'autre part, la personne au nom de qui il fournit la garantie s'est engagée inconditionnellement envers lui à lui en remettre le plein montant.

(2) L'alinéa (1) a) ne s'applique pas si le tiers au nom de qui l'assureur fournit la garantie est sa filiale.

### Restriction relative aux activités de crédit-bail

15. Pour l'application de l'article 435.7 de la Loi, il est interdit à l'assureur d'exercer, au Canada, une activité de crédit-bail mobilier qui empêcherait une entité s'occupant de crédit-bail exerçant une telle activité d'être une entité admissible pour l'application de la Loi.



**Détention de ses propres actions**

**16. (1)** Pour l'application de l'article 435.7 de la Loi et sous réserve du paragraphe (2), l'assureur ne doit faire aucune des choses suivantes :

1. Détenir des actions émises par lui ou des actions émises par une personne morale qui le contrôle.
2. Détenir des titres de participation d'une entité non constituée en personne morale qui le contrôle.
3. Permettre à une de ses filiales de détenir des actions émises par lui ou par une personne morale qui le contrôle.
4. Permettre à une de ses filiales de détenir des titres de participation d'une entité non constituée en personne morale qui le contrôle.

(2) Le paragraphe (1) ne s'applique pas à l'égard de ce qui suit :

- a) le rachat d'actions privilégiées conformément à l'article 28 de la *Loi sur les personnes morales*;
- b) l'achat d'actions de l'assureur aux termes d'un plan de conversion de l'assureur en compagnie mutuelle conformément à l'article 211 de la *Loi sur les personnes morales*;
- c) la détention d'actions par l'assureur ou par une de ses filiales à titre d'exécuteur testamentaire, d'administrateur successoral, de tuteur ou de fiduciaire conformément au paragraphe 111 (2) de la *Loi sur les personnes morales* ou la détention de titres de participation au même titre dans des circonstances similaires;
- d) sous réserve de la *Loi sur les personnes morales*, la détention d'actions ou de titres de participation pendant au plus 180 jours si ces actions ou ces titres sont acquis par suite de la réalisation d'une sûreté.

**Valeur des prêts, des placements et des intérêts dans des biens**

**17. (1)** Pour l'application du paragraphe 435.8 (1) de la Loi, si un placement est fait par l'assureur ou une filiale prescrite en vertu de l'article 435.6 de la Loi, la valeur du placement n'est pas prise en compte dans le calcul de la valeur des prêts et placements faits et des intérêts dans des biens acquis par l'assureur ou la filiale prescrite pour l'application des articles 435.9 à 435.12 de la Loi.

(2) Le paragraphe (1) et le paragraphe 435.8 (1) de la Loi ne s'appliquent pas au placement fait ou à l'intérêt immobilier acquis par l'assureur ou une filiale prescrite :

- a) soit par la réalisation d'une sûreté sur un bien immeuble constituée par un prêt, un titre de créance ou une garantie visé à l'un ou l'autre des numéros 11 à 19 du tableau du paragraphe 20 (1);
- b) soit du fait d'un défaut visé au paragraphe 435.3 (1) de la Loi et prévu dans la convention régissant un intérêt immobilier constitué par un prêt, un titre de créance ou une garantie visé à l'un ou l'autre des numéros mentionnés à l'alinéa a).

**Plafond d'un prêt commercial**

**18. (1)** Pour l'application du paragraphe 435.9 (2) de la Loi, le montant calculé conformément aux règlements correspond à cinq pour cent de l'actif total de l'assureur.

(2) Pour l'application du paragraphe (1), l'actif total de l'assureur correspond au montant qui serait calculé à ce titre conformément à l'article 21 pour l'application de l'article 435.14 de la Loi si le dernier bilan de l'assureur établi avant la date où est effectué ce calcul était réputé celui qui serait établi à la date où le calcul est effectué en application du paragraphe 435.9 (2) de la Loi.

**Plafond des placements**

**19. (1)** Pour l'application des paragraphes 435.10 (1) et 435.11 (2) de la Loi, le montant calculé conformément aux règlements correspond à la somme de ce qui suit :

- a) 70 pour cent du montant calculé conformément au paragraphe (3);
- b) 15 pour cent des éléments du passif de l'assureur liés aux polices d'assurance-vie qui ne sont pas des polices avec participation;
- c) 25 pour cent des éléments du passif de l'assureur liés aux polices d'assurance-vie qui sont des polices avec participation;
- d) cinq pour cent des éléments du passif de l'assureur liés à ce qui suit :
  - (i) toute rente viagère, que sa période de versement soit garantie ou non, à l'égard de laquelle l'assureur s'est engagé par contrat auprès du rentier à lui verser des sommes déterminées à intervalles réguliers,
  - (ii) toute rente dont le taux d'intérêt est garanti par l'assureur pour une période de plus de 10 ans après la date de conclusion du contrat de rente,

- (iii) toute rente collective d'invalidité à long terme à l'égard de laquelle l'assureur s'est engagé par contrat auprès du rentier à lui verser des sommes déterminées à intervalles réguliers jusqu'à l'âge de la retraite,
- (iv) toute autre rente d'invalidité à l'égard de laquelle l'assureur s'est engagé par contrat auprès du rentier à lui verser des sommes déterminées à intervalles réguliers :
  - (A) soit pendant la durée de l'invalidité jusqu'à ce que le rentier ait atteint l'âge de 65 ans,
  - (B) soit à vie.

(2) Pour l'application du paragraphe 435.12 (2) de la Loi, le montant calculé conformément aux règlements correspond au total de ce qui suit :

- a) le montant calculé conformément au paragraphe (3);
- b) 20 pour cent des éléments du passif de l'assureur liés aux polices d'assurance-vie qui ne sont pas des polices avec participation;
- c) 40 pour cent des éléments du passif de l'assureur liés aux polices d'assurance-vie qui sont des polices avec participation;
- d) le montant calculé conformément à l'alinéa (1) d).

(3) Pour l'application des alinéas (1) a) et (2) a), le montant calculé conformément au présent paragraphe correspond à l'excédent du capital de l'assureur sur la somme des montants suivants :

- a) le total des montants représentant chacun les montants suivants inclus dans le capital de l'assureur :
  - (i) l'excédent du total de l'actif d'une institution financière contrôlée par l'assureur, et de toute entité contrôlée par cette institution financière, sur le total du passif — y compris les impôts reportés et les titres secondaires — de l'institution financière ou de l'entité,
  - (ii) l'excédent du montant total reporté des gains en capital réalisés sur le montant total reporté des pertes en capital subies, découlant des transactions immobilières et des opérations sur actions effectuées par une institution financière visée au sous-alinéa (i) qui est un assureur titulaire d'un permis l'autorisant à faire souscrire de l'assurance-vie,
  - (iii) les titres secondaires émis par une institution financière ou une entité visée au sous-alinéa (i);
- b) le total des montants, inclus dans le capital de l'assureur, représentant chacun une participation minoritaire dans l'une ou l'autre des entités suivantes :
  - (i) une institution financière contrôlée par l'assureur,
  - (ii) une entité que contrôle une institution financière contrôlée par l'assureur;
- c) le total des montants représentant chacun un placement, sauf les titres secondaires visés au sous-alinéa a) (iii), fait par l'assureur ou une entité désignée qu'il contrôle dans une institution financière ou dans une entité que contrôle une institution financière contrôlée par l'assureur et inclus :
  - (i) soit dans le capital d'un assureur,
  - (ii) soit dans le montant qui constitue le capital d'une institution financière, au sens où l'entend l'instance de réglementation de cette institution financière aux fins des règles relatives à la suffisance du capital;
- d) le total des montants représentant chacun un prêt, sauf les titres secondaires visés au sous-alinéa a) (iii), consenti par l'assureur ou par une entité désignée qu'il contrôle, à une autre compagnie d'assurance constituée en personne morale sous le régime des lois du Canada ou d'une province, à un courtier en valeurs mobilières contrôlé par l'autre assureur ou à une entité contrôlée par une compagnie d'assurance ou un courtier en valeurs mobilières que contrôle l'assureur et inclus :
  - (i) soit dans le capital d'un assureur,
  - (ii) soit dans le montant qui constitue le capital de l'autre compagnie d'assurance ou du courtier en valeurs mobilières, au sens où l'entend l'instance de réglementation de cette compagnie ou de ce courtier, selon le cas.

(4) Pour l'application du paragraphe 435.14 (1) de la Loi, la valeur des actions participantes et des titres de participation visés aux articles 435.11 et 435.12 de la Loi que détiennent à titre de propriétaire bénéficiaire l'assureur ou celles de ses filiales qui sont des filiales prescrites pour l'application de l'article 435.14 de la Loi correspond à la valeur comptable de ces actions et titres qui figureraient dans le bilan consolidé de l'assureur établi à la date où le calcul est effectué.

## INTÉRÊTS IMMOBILIERS

## Intérêts immobiliers

20. (1) Pour l'application de la partie XVII de la Loi, l'intérêt de l'assureur ou d'une de ses filiales prescrites dans chaque type de biens qui figure à la colonne 2 du tableau suivant constitue un intérêt immobilier pour l'application de cette partie et sa valeur correspond au montant calculé ainsi qu'il l'est indiqué en regard du type de biens à la colonne 3 :

TABLEAU DES INTÉRÊTS IMMOBILIERS

Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
1.	Le bien immeuble dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du bien immeuble.
2.	Le titre de créance qui est émis en vue de l'acquisition ou de l'amélioration d'un bien immeuble visé au numéro 1 et dont le débiteur est l'assureur ou une entité désignée contrôlée par l'assureur.	L'excédent éventuel de la valeur comptable du titre de créance sur la valeur comptable du bien immeuble.
3.	Le bien immeuble présentant les caractéristiques suivantes : a) le propriétaire bénéficiaire est : (i) soit une entité immobilière apparentée à l'assureur qui est une coentreprise, (ii) soit une entité dans laquelle l'entité visée au sous-alinéa (i) a un intérêt de groupe financier; b) il figurerait dans le bilan de l'assureur établi conformément à l'article 104 de la Loi.	La valeur comptable du bien immeuble.
4.	Les actions et les titres de participation de toute entité immobilière apparentée à l'assureur, autre que celle visée au numéro 3, dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable des actions et des titres de participation.
5.	Le titre de créance qui a été émis par une entité immobilière apparentée à l'assureur et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du titre de créance.
6.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à une entité immobilière apparentée à l'assureur.	La valeur comptable du prêt.
7.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à l'une des entités suivantes : a) une entité immobilière dans laquelle une institution financière contrôlée par l'assureur a un intérêt de groupe financier; b) une entité immobilière qui est contrôlée par une entité immobilière visée à l'alinéa a).	La valeur comptable du prêt.
8.	Le titre de créance qui a été émis par une entité immobilière visée à l'alinéa a) ou b) du numéro 7 et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du titre de créance.
9.	Le titre de créance présentant les caractéristiques suivantes : a) il a été émis par une entité immobilière apparentée à l'assureur; b) une tierce partie en est le propriétaire bénéficiaire; c) il est garanti par l'assureur ou une entité désignée contrôlée par lui.	Si le titre de créance a été émis par une entité immobilière apparentée et que celle-ci est le propriétaire bénéficiaire d'un bien immeuble constituant un intérêt immobilier de l'assureur visé au numéro 3, l'excédent éventuel de la valeur nominale de la garantie sur la valeur du bien immeuble.  Dans tous les autres cas, la valeur nominale de la garantie.
10.	Le prêt consenti par une tierce partie à une entité immobilière apparentée à l'assureur et garanti par l'assureur ou une entité désignée contrôlée par lui.	Si le prêt a été consenti à une entité immobilière apparentée et que celle-ci est le propriétaire bénéficiaire d'un bien immeuble constituant un intérêt immobilier de l'assureur visé au numéro 3, l'excédent éventuel de la valeur nominale de la garantie sur la valeur du bien immeuble.  Dans tous les autres cas, la valeur nominale de la garantie.



Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
11.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à une tierce partie et garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du prêt.
12.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du titre.
13.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du titre de créance.
14.	Le prêt consenti à une tierce partie par l'assureur ou une entité désignée contrôlée par lui et garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du prêt, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.

Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
15.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du titre de créance, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.
16.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du prêt ou du titre de créance, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.
17.	Le prêt consenti à une tierce partie par l'assureur ou une entité désignée contrôlée par lui et garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du prêt.
18.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du titre.
19.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du titre de créance.

Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
20.	La garantie fournie par l'assureur ou une entité désignée contrôlée par lui à une entité — autre que l'assureur ou l'entité désignée — afin d'achever l'aménagement d'un bien immeuble dont le propriétaire bénéficiaire est l'une des entités suivantes : a) l'assureur; b) l'entité désignée contrôlée par l'assureur; c) une entité immobilière apparentée à l'assureur.	Le coût estimatif d'achèvement de l'aménagement du bien immeuble.
21.	La convention conclue par l'assureur ou une entité désignée contrôlée par lui pour aider à payer les frais d'exploitation ou de financement engagés par une tierce partie à l'égard d'un bien immeuble dont le propriétaire bénéficiaire est l'une des entités suivantes : a) l'assureur; b) l'entité désignée contrôlée par l'assureur; c) une entité immobilière apparentée à l'assureur.	Le montant des fonds avancés, aux termes de la convention, par l'assureur ou l'entité désignée contrôlée par lui.

(2) La valeur comptable, à une date donnée, d'un bien qui est un intérêt immobilier pour l'application de la partie XVII de la Loi correspond :

- dans le cas d'un bien immeuble, à sa valeur comptable brute, diminuée de l'amortissement cumulé, qui figurerait dans le bilan de l'assureur si celui-ci était établi à la date donnée conformément à l'article 104 de la Loi;
- dans le cas d'un bien composé d'actions d'une autre entité ou d'un titre de participation dans celle-ci, d'un titre de créance ou d'un prêt, à sa valeur comptable qui figurerait dans le bilan de l'assureur si celui-ci était établi à la date donnée conformément à l'article 104 de la Loi.

#### QUESTIONS PRESCRITES POUR L'APPLICATION DE L'ARTICLE 435.14 DE LA LOI

**Actif total pour l'application de l'art. 435.14 de la Loi**

**21. (1)** Pour l'application de l'article 435.14 de la Loi, l'actif total de l'assureur à une date donnée correspond au montant calculé selon la formule suivante :

$$A - B$$

où :

«A» représente le total des éléments d'actif figurant dans son dernier bilan établi conformément à l'article 104 de la Loi avant cette date;

«B» représente le total des éléments d'actif inclus dans le calcul de l'élément «A» qui sont des éléments d'actif d'une filiale de l'assureur qui est, selon le cas :

- une institution financière;
- la filiale d'une institution financière qui n'est pas une filiale de cette dernière du seul fait qu'elle est une filiale de l'assureur.

(2) Pour l'application de l'article 435.14 de la Loi, les règles suivantes s'appliquent aux fins du calcul de la valeur des éléments d'actif qui sont acquis ou transférés :

1. La valeur des éléments d'actif qui sont acquis est la suivante :

- la juste valeur marchande des éléments d'actif, s'il s'agit d'actions d'une entité ou de titres de participation dans celle-ci et que la valeur des éléments d'actif de l'entité figurera au rapport annuel de l'assureur après l'acquisition,
- le prix d'achat des éléments d'actif, dans tous les autres cas.

2. La valeur des éléments d'actif qui sont transférés est la suivante :

- la valeur des éléments d'actif figurant au dernier rapport annuel de l'assureur, s'il s'agit d'actions d'une entité ou de titres de participation dans celle-ci et que la valeur des éléments d'actif de l'entité figurait au dernier rapport annuel de l'assureur établi avant le transfert,
- la valeur comptable des éléments d'actif figurant au dernier rapport annuel de l'assureur établi avant le transfert, dans tous les autres cas.



(3) Pour l'application de l'alinéa 435.14 (3) c) de la Loi, le paragraphe 435.14 (1) de la Loi ne s'applique pas dans les cas suivants :

- a) l'acquisition par l'assureur ou sa filiale d'actions d'une entité ou de titres de participation dans celle-ci dans des circonstances nécessitant l'obtention de l'approbation du surintendant aux termes de l'article 435.1 de la Loi;
- b) le transfert ou l'acquisition qui constitue une opération ou une partie d'une série d'opérations intervenue entre l'assureur et une institution financière à la suite de la participation de l'assureur et de l'institution à la syndication de prêts;
- c) l'acquisition ou le transfert que le surintendant a approuvé en vertu d'une disposition de la Loi ou du présent règlement.

#### ENTRÉE EN VIGUEUR

##### Entrée en vigueur

22. Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (6) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08

### ONTARIO REGULATION 122/08

made under the

#### INSURANCE ACT

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### INVESTMENT AND LENDING ACTIVITIES — PROPERTY AND CASUALTY INSURERS AND FRATERNAL SOCIETIES

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## MATTERS PRESCRIBED FOR THE PURPOSES OF SECTION 435.14 OF THE ACT

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## COMMENCEMENT

19. Commencement

## Application

1. (1) This Regulation applies to insurers and fraternal societies that are subject to Part XVII of the Act, but does not apply to insurers, other than fraternal societies, licensed under the Act to transact the business of life insurance.

(2) Unless otherwise provided, a reference in this Regulation to an insurer is a reference to an insurer or fraternal society to which this Regulation applies.

## Definitions

2. (1) In this Regulation,

“designated entity” means, in respect of an insurer, an entity that is not,

- (a) a joint venture,
- (b) a financial institution, or
- (c) a subsidiary of a financial institution that is not a subsidiary of the financial institution only because it is a subsidiary of the insurer; (“entité désignée”)

“financial services entity” means an entity that is,

- (a) a financial institution,
- (b) an entity listed in any of paragraphs 1 to 8 of subsection 5 (1), or
- (c) any other entity whose primary business activity is the provision of financial services; (“entité s’occupant de services financiers”)

“joint venture” means a real property entity,

- (a) that was formed by an insurer or a designated entity controlled by the insurer and one or more other persons for the purpose of a specific business undertaking,
- (b) in which the insurer or designated entity has made and holds a substantial investment, and
- (c) in respect of which the persons who formed it have agreed on joint control, regardless of the distribution of their equity; (“coentreprise”)

“minority interest” means, in respect of an entity controlled by an insurer, an equity interest in the entity that is held by a person who is neither the insurer nor another entity controlled by the insurer; (“participation minoritaire”)

“mutual fund dealer” means an entity whose principal activity is acting as a selling agent of units, shares or other interests in a mutual fund and acting as a collecting agent in the collection of payments for any such interests if,

- (a) the proceeds of the sales of any such interests, less any sales commissions and service fees, are paid to the mutual fund, and
- (b) the existence of a sales commission and service fee in respect of the sale of any such interest is disclosed to the purchaser of the interest before the purchase of the interest; (“courtier de fonds mutuels”)

“real property entity” means,

- (a) an entity that is primarily engaged in the business of holding, managing or otherwise dealing with real property, or
- (b) an entity that is primarily engaged in holding or dealing in,
  - (i) shares of, or ownership interests in, an entity described under clause (a), or
  - (ii) shares of, or ownership interests in, another entity that is primarily engaged in holding or dealing in shares of, or ownership interests, in an entity described under clause (a); (“entité immobilière”)

“related real property entity” means, in respect of an insurer,

- (a) a real property entity, other than a designated entity controlled by the insurer, in which the insurer or a designated entity controlled by the insurer beneficially owns sufficient shares or ownership interests to cause the insurer or designated entity to have a substantial investment in the real property entity, or
- (b) a real property entity that is controlled by a real property entity described in clause (a); (“entité immobilière apparentée”)

“residential real property” means real property that includes one or more buildings in each of which at least one-half of the floor area is used, or is to be used, as residential premises; (“immeuble résidentiel”)

“third party” means, in respect of an insurer, another person that is not,

- (a) a designated entity controlled by the insurer, or
- (b) a related real property entity of the insurer. (“tierce partie”)

(2) For the purposes of this Regulation and subject to subsection (3), the capital of an insurer at a particular time is the amount calculated using the formula,

$$A - B$$

in which,

“A” is the sum of the following amounts that would be reported in the financial statements of the insurer prepared in accordance with section 104 of the Act as of the particular time:

- 1. The amount of minority interests.
- 2. The amount of subordinated indebtedness.
- 3. The amount by which assets exceed liabilities.

“B” is the amount of goodwill that would be included in the financial statements referred to in the definition of “A”.

(3) In calculating the amount of an insurer’s capital under subsection (2), an amount may be included in respect of a security only if,

- (a) the security is, by its terms, subordinate in right of payment to the policy liabilities and other liabilities of the entity that issued the security, other than liabilities that by their terms rank equally with or are subordinate to the security;
- (b) the security is issued and fully paid up; and
- (c) if the security is subordinated indebtedness or a preferred share, the security,
  - (i) has an initial minimum term of at least five years or has no stated term, and
  - (ii) cannot be redeemed or purchased for cancellation in the first five years after it is issued.

#### **Commercial loan, prescribed matters**

3. (1) For the purposes of subclause (a) (i) of the definition of “commercial loan” in subsection 432 (1) of the Act, the prescribed amount is \$250,000.

(2) The following international agencies are prescribed for the purposes of subclauses (a) (iii) and (b) (ii) of the definition of “commercial loan” in subsection 432 (1) of the Act:

- 1. The International Bank for Reconstruction and Development.
- 2. The International Finance Corporation.
- 3. The Inter-American Development Bank.
- 4. The Asian Development Bank.
- 5. The African Development Bank.
- 6. The European Investment Bank.
- 7. The Caribbean Development Bank.
- 8. The Nordic Investment Bank.
- 9. The European Bank for Reconstruction and Development.
- 10. The Council of Europe Development Bank.

(3) For the purposes of subclauses (b) (iv) and (c) (i) of the definition of “commercial loan” in subsection 432 (1) of the Act, securities that are debt obligations, shares or ownership interests are widely distributed if the following conditions are satisfied:

- 1. In the case of debt obligations the distribution of which is exempt from the requirement to file a prospectus under the laws of Ontario, Canada, another province of Canada or a jurisdiction outside Canada,
  - i. at least 90 per cent of the maximum authorized principal of the debt obligations is held by one or more persons other than the insurer and its subsidiaries and,



- A. the debt obligations were issued to at least 25 persons other than the insurer and its subsidiaries within six months after the day on which the first of the debt obligations was issued, or
- B. if the debt obligations are issued on a continuous basis, there are on average at least 25 holders other than the insurer and its subsidiaries, or
- ii. at the time of their initial distribution, the debt obligations satisfied at least three of the following conditions:
  - A. their initial term was less than one year,
  - B. they were rated by a rating agency,
  - C. they were distributed through a person authorized to trade in securities, and
  - D. they were distributed in accordance with an offering circular or memorandum or a similar document relating to the distribution of securities.
- 2. In the case of securities other than debt obligations described in paragraph 1,
  - i. the securities are listed and posted for trading on a recognized stock exchange, or
  - ii. a prospectus relating to the issuance of the securities was filed under the laws of Ontario, Canada, another province in Canada or a jurisdiction outside Canada.

#### Prescribed subsidiary

4. For the purposes of the definition of "prescribed subsidiary" in subsection 432 (1) of the Act, a prescribed subsidiary of an insurer is a subsidiary of the insurer that is not,
- (a) a financial institution; or
  - (b) an entity that is a subsidiary of a financial institution for a reason other than because it is a subsidiary of the insurer.

#### SUBSTANTIAL INVESTMENTS IN PERMITTED ENTITIES

#### Permitted entities

5. (1) For the purposes of the definition of "permitted entity" in subsection 432 (1) of the Act, each of the following entities is a permitted entity in relation to an insurer:

- 1. An investment counsel.
- 2. A portfolio manager.
- 3. An insurance broker or agent, if the entity is licensed under the Act or registered under the *Registered Insurance Brokers Act* or is registered or licensed under comparable legislation in another jurisdiction in Canada.
- 4. A mortgage broker or agent, if the entity is registered or licensed under the *Mortgage Brokers Act*, the *Mortgage Brokerages, Lenders and Administrators Act, 2006* or comparable legislation in another jurisdiction in Canada.
- 5. A mutual fund dealer.
- 6. A mutual fund within the meaning of subsection 1 (1) of the *Securities Act* whose activities are limited to the investment of the funds of the mutual fund for the purposes of providing investment diversification and professional investment management services to the holders of its securities.
- 7. A non-redeemable investment fund within the meaning of subsection 1 (1) of the *Securities Act* whose activities are limited to the investment of the funds of the fund for the purposes of providing investment diversification and professional investment management services to the holders of its securities, and whose securities are,
  - i. fixed in number and distributed to the public in an offering under a preliminary prospectus, prospectus, short form prospectus or similar document in accordance with the laws of a Province of Canada or a foreign jurisdiction,
  - ii. traded on a recognized and regulated market, and
  - iii. liquidated on a fixed future termination date, with the proceeds allocated to the holders of the securities in accordance with their holdings.
- 8. A receiver, sequestrator or liquidator.
- 9. An entity, other than a financial institution, whose business activities are limited to one or more of the business activities prescribed by subsection (2) and who satisfies the conditions, if any, set out in that subsection relating to that business activity.

(2) The following business activities are prescribed for the purposes of paragraph 9 of subsection (1):

1. Providing financial services.
2. Holding, managing or otherwise dealing with real property.
3. The business of a real estate broker or otherwise acting as an agent for vendors, purchasers, lessors or lessees of real property or providing consulting or appraisal services in respect of real property.
4. Promoting merchandise and services to the holders of any payment, credit or charge card issued by the insurer.
5. Providing in Canada data processing or other information processing services relating to financial institutions if,
  - i. the insurer has developed the processing systems for its own use and the processing systems are an integral part of the insurer's operations, and
  - ii. the services are provided to entities in which the insurer has a substantial investment and that do not provide information processing services to other entities.
6. Collecting, manipulating and transmitting information,
  - i. that is primarily financial or economic in nature, or
  - ii. that relates to the business of an entity that is a permitted entity with respect to insurers to which this Regulation applies.
7. Providing advisory or other services in the design, development and implementation of information management services.
8. Designing, developing or marketing computer software.
9. Designing, developing, manufacturing or selling computer equipment integral to the provision of information services related to the business of financial institutions or to the provision of financial services, if it is an ancillary activity to any business referred to in paragraph 6, 7 or 8 in which the insurer is engaged.
10. Designing, developing, holding, managing, manufacturing, selling or otherwise dealing with data transmission systems, information sites, communication devices or information platforms or portals that are used,
  - i. to provide information that is primarily financial or economic in nature,
  - ii. to provide information that relates to the business of an entity that is a permitted entity in respect of an insurer to which this Regulation applies, or
  - iii. for a purpose or in a circumstance that is materially related to the provision of financial products or services by the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment.
11. Designing, developing, holding, managing, manufacturing, selling or otherwise dealing with data transmission systems, information sites, communication devices or information platforms or portals that are used to provide information services.
12. Acting as a custodian of property.
13. Selling any of the following:
  - i. tickets, including lottery tickets, on a non-profit public service basis, in connection with special, temporary and infrequent non-commercial celebrations or projects that are of local, municipal, provincial or national interest,
  - ii. urban transit tickets,
  - iii. tickets for a lottery sponsored by the federal government, a provincial or municipal government or an agency of any of those governments.
14. Providing services that are reasonably ancillary to the business of the insurer, including one or more of the following:
  - i. providing safety and risk prevention services and services respecting risk management and claims adjustment,
  - ii. providing and operating rehabilitation and training and development centres,
  - iii. providing computer systems to insurance brokers and agents,
  - iv. providing support to insurance brokers and agents, and
  - v. operating repair and appraisal centres.
15. Providing services exclusively to,
  - i. the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment that is permitted under the Act or this Regulation, or
  - ii. one or more of the entities listed in subparagraph i and,

- A. a financial services entity, or
- B. an entity that is a permitted entity in respect of the insurer and in which a financial services entity has a substantial investment.

16. Any other business activity not described in paragraphs 1 to 15 that relates to,

- i. the promotion, sale, delivery or distribution of a financial product or financial service that is provided by the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment that is permitted under the Act or this Regulation, or
- ii. if a significant portion of the business activity of the entity involves an activity described in subparagraph i, the promotion, sale, delivery or distribution of a financial product or service that is provided by a financial services entity.

17. Acquiring or holding shares of, or ownership interests in, entities in respect of which an insurer is permitted under the Act or this Regulation to hold a substantial investment.

(3) Despite subsection (1), an entity that is a permitted entity under any of paragraphs 1 to 8 of subsection (1) does not cease to be a permitted entity by reason only that it carries on one or more business activities carried out by another entity listed in any of those paragraphs or one or more business activities prescribed by subsection (2), as long as it satisfies the conditions, if any, relating to the other entity or the business activity.

(4) Despite subsections (1) and (2), the following entities are not permitted entities in respect of an insurer:

1. An entity whose activities are limited to acting as a factor in respect of accounts receivable, including the raising of money for the purposes of acting as a factor and lending money while acting as a factor.
2. An entity that carries on the business activities in Canada of financial leasing of personal property, including,
  - i. the entering into and acceptance of assignments of conditional sales agreements in respect of personal property,
  - ii. the administration of financial lease agreements and conditional sales agreements on behalf of any person, and
  - iii. the raising of money for the purposes of financing the activities of the entity and the investment of that money pending its use for those activities.
3. An entity, other than a financial institution or an entity described in paragraph 1 or 2, that engages in a business that includes,
  - i. issuing payment, credit or charge cards and, in co-operation with others, including financial institutions, operating a payment, credit or charge card plan, or
  - ii. making or refinancing loans or entering into any other similar arrangements for advancing funds or credit.
4. An entity that is a specialized financing entity prescribed for the purposes of section 435.5 of the Act.
5. An entity in the business of providing specialized business management and advisory services.
6. An entity listed in subsection (1) whose business activities include the acceptance of deposit liabilities.

(5) For the purposes of subsection 435.1 (1) of the Act and subject to subsections (6), (7) and (9) of this section, an insurer may, subject to section 435.7 of the Act, acquire, hold or increase a substantial investment in a permitted entity only if all of the applicable following conditions are satisfied:

1. The insurer may acquire, hold or increase a substantial investment in any of the following permitted entities only with the approval of the Superintendent:
  - i. A financial institution.
  - ii. An entity that is a permitted entity under paragraph 1, 2 or 5 of subsection (1) and,
    - A. that is not registered under the *Securities Act* or comparable legislation of another jurisdiction in Canada, or
    - B. that is exempt from registration requirements.
  - iii. A permitted entity engaged in a business described in paragraph 1, 6, 7, 8, 9, 10, 11, 14 or 16 of subsection (2).
  - iv. An entity that is a permitted entity under paragraph 6 or 7 of subsection (1) if it is not subject to regulation under the *Securities Act* or comparable legislation of another jurisdiction in Canada.
  - v. A permitted entity engaged in a business described in paragraph 17 of subsection (2) unless, at the time of the investment or as a result of the investment, the permitted entity is a subsidiary of the insurer and does not hold an interest in any entity in which the insurer is not permitted to make a substantial investment without the consent of the Superintendent.



2. The insurer may acquire, hold or increase a substantial investment in any of the following permitted entities only if the insurer will control the permitted entity after the acquisition or the acquisition and holding of the substantial investment is permitted under paragraph 3 or 4:
  - i. A financial institution.
  - ii. A permitted entity engaged in the business described in paragraph 17 of subsection (2) if that business includes the acquisition of a substantial investment in one or more financial institutions.
3. The insurer may acquire, hold or increase a substantial investment in a permitted entity listed in subparagraph 2 i or ii, without controlling the permitted entity after the acquisition, only if, after the acquisition, the total value of the following investments and loans does not exceed 50 per cent of the insurer's capital:
  - i. All shares in corporations and ownership interests in unincorporated entities beneficially owned by the insurer or by permitted entities listed in subparagraph 2 i or ii in which the insurer has a substantial investment but which the insurer does not control.
  - ii. All loans, each of which is held by the insurer or by permitted entities referred to in subparagraph i.
  - iii. All outstanding guarantees by a permitted entity referred to in subparagraph i or on behalf of permitted entities referred to in subparagraph i.
4. If the insurer is a mutual insurance corporation that participates in the Fire Mutuals Guarantee Fund, the insurer may acquire, hold or increase a substantial investment in a permitted entity listed in subparagraph 2 i or ii, without itself controlling the permitted entity after the acquisition if, after the acquisition, two or more of the mutual insurance corporations that participate in the Fund control or, as a result of the acquisition, will acquire control of the permitted entity.
5. The insurer may acquire, hold or increase a substantial investment in an entity whose business is described in paragraph 11 of subsection (2) only if the sum of the following amounts does not exceed five per cent of the insurer's capital:
  - i. The total book value of the shares and ownership interests that the insurer and its subsidiaries, whether individually or jointly, would acquire in the permitted entity.
  - ii. The total book value of the shares and ownership interests already held by the insurer and its subsidiaries, whether individually or jointly, in other entities engaged in a business described in paragraph 11 of subsection (2) in which the insurer has a substantial investment.
  - iii. The total value of outstanding loans made by the insurer and its subsidiaries, whether individually or jointly, to entities engaged in a business described in paragraph 11 of subsection (2) in which the insurer has a substantial investment.
- (6) The insurer may acquire, hold or increase a substantial investment in a permitted entity whose activities include acquiring and holding substantial investments in other entities if,
  - i. the permitted entity is a permitted entity by reason of subsection (1), and
  - ii. the insurer would, but for paragraph 1, 2 or 3 of subsection (5), be permitted under section 435.1, 435.2, 435.3, 435.4, 435.5 or 435.6 of the Act to acquire a substantial investment in the other entity.
- (7) Paragraph 3 of subsection (5) does not apply if the permitted entity is incorporated or organized under the laws of a jurisdiction outside Canada and those laws or the customary business practices of the jurisdiction do not permit the insurer to control the entity.
- (8) If the insurer controls a permitted entity listed in subparagraph 2 i or ii of subsection (5), the insurer may, with the Superintendent's approval, give up control while retaining a substantial investment in the permitted entity only if the total value of the insurer's investments and loans listed in subparagraphs 3 i to iii of that subsection does not exceed 50 per cent of the insurer's capital after the insurer gives up control.
- (9) The following rules apply for the purposes of determining the total value of investments and loans for the purposes of paragraphs 3 and 5 of subsection (5):
  1. No amount shall be included in respect of shares or ownership interests acquired under circumstances in which subsection 435.3 (1), 435.4 (1) or 435.6 (1) of the Act applies.
  2. The value of an ownership interest or loan held by an insurer at a particular time is the book value of the ownership interest or loan that would be reported on the balance sheet of the insurer prepared in accordance with section 104 of the Act as of that time.
  3. The value of a guarantee is its face value.

**Continuation of exceptions**

6. (1) Subject to subsection (3), the rules in subsection (2) apply in respect of a substantial investment held by an insurer in the following circumstances:

1. The insurer was permitted under a particular provision of the Act or the regulations to acquire and did acquire a substantial investment in a particular entity.
2. The insurer is no longer permitted under the particular provision to hold the substantial investment.
3. The insurer could qualify to hold the substantial investment under another provision of the Act or this Regulation.

(2) In the circumstances described in subsection (1), the insurer is entitled to continue to hold the substantial investment under the provision referred to in paragraph 3 of subsection (1) if any conditions that must be satisfied in order for the insurer to be entitled to hold the substantial investment under that provision are satisfied.

(3) Subsection (1) does not apply in respect of a substantial investment if clause 435.3 (4) (b), 435.4 (4) (b) or 435.6 (4) (b) of the Act applies.

**SUPERINTENDENT'S APPROVAL****Criteria for Superintendent's approval**

7. In determining whether to give an approval referred to in clause 435.3 (4) (b), 435.4 (4) (b) or 435.6 (1) (a), (b), (c) or (d) of the Act, the Superintendent shall consider,

- (a) whether the investment can reasonably be expected to expose the insurer to an undue risk; and
- (b) whether the investment can reasonably be expected to hinder the supervision and regulation of the insurer.

**OTHER INVESTMENTS****Investments outside control of insurer**

8. For the purposes of clause 435.6 (1) (f) of the Act, an insurer may acquire or increase a substantial investment in an entity, irrespective of whether it is a permitted entity or the investment is otherwise permitted under the Act or the regulations, if the acquisition or increase is the result of one or more events that are outside the control of the insurer.

**RESTRICTIONS AND LIMITS ON INSURER'S BUSINESS ACTIVITIES****Limit on loans secured by residential mortgages**

9. (1) For the purposes of section 435.7 of the Act, an insurer shall not make a loan in Canada or acquire, hold or increase a substantial investment in a permitted entity described in subsection 5 (1) that makes a loan in Canada if,

- (a) the loan is made on the security of residential real property for the purpose of purchasing, renovating or improving the real property or refinancing a loan made for that purpose; and
- (b) the amount of the loan plus the amount then outstanding of all other liabilities secured by mortgages having equal or prior claims against the real property would exceed 80 per cent of the value of the real property at the time the insurer makes the loan or acquires the substantial investment.

(2) Subsection (1) does not apply in respect of,

- (a) a loan made or guaranteed under the *National Housing Act* (Canada) or any other Act of Parliament or of Ontario under which a different limit is established on the value of property on the security of which the insurer may make a loan;
- (b) a loan that would otherwise be prohibited by reason of clause (1) (b) if repayment of the portion of the loan that exceeds the maximum value set out in that clause is guaranteed or insured by a government agency or by an insurance company approved by the Superintendent;
- (c) the acquisition by the insurer from an entity of securities issued or guaranteed by the entity that are secured on any residential real property, whether in favour of a trustee or otherwise, or the making of a loan by the insurer to the entity against the issue of the securities; or
- (d) a loan secured by a mortgage taken back by the insurer on the disposition of property by the insurer, including a disposition for the purpose of realization of a security interest, if the mortgage secures payment of an amount payable to the insurer for the property.

**Restriction on loans to certain entities**

10. (1) This section applies if an insurer holds a substantial investment in a permitted entity listed in subparagraph 2 i or ii of subsection 5 (5) and the insurer is entitled to hold the substantial investment by reason of paragraph 3 of subsection 5 (5) or subsection 5 (8).



(2) The insurer shall not make a loan to the permitted entity, and shall not permit any subsidiary of the insurer to do so, if, after making the loan, the total value of the investments and loans described in subparagraphs 3 i to iii of subsection 5 (5) would exceed 50 per cent of the insurer's capital.

(3) Paragraphs 1, 2 and 3 of subsection 5 (9) apply for the purposes of determining the total value of investments and loans for the purposes of subsection (2).

#### **Restriction on guarantees**

**11.** (1) For the purposes of section 435.7 of the Act, an insurer shall not guarantee on behalf of any person the payment or re-payment of money unless the person on whose behalf the insurer has undertaken to guarantee the payment or repayment is a subsidiary of the insurer and has an unqualified obligation to reimburse the insurer for the full amount of the payment or repayment to be guaranteed.

(2) Subsection (1) does not prevent an insurer from insuring a risk that comes within a class of insurance in respect of which the insurer is licensed under the Act.

#### **Prohibition on financial leasing**

**12.** An insurer shall not engage in Canada in financial leasing of personal property.

#### **Holding own shares**

**13.** (1) For the purposes of section 435.7 of the Act and subject to subsection (2), an insurer shall not do any of the following:

1. Hold any of its issued shares or any shares issued by a corporation that controls the insurer.
2. Hold an ownership interest in an unincorporated entity that controls the insurer.
3. Permit any of its subsidiaries to hold shares issued by the insurer or by a corporation that controls the insurer.
4. Permit any of its subsidiaries to hold an ownership interest in an unincorporated entity that controls the insurer.

(2) Subsection (1) does not apply in respect of,

- (a) the redemption of preference shares in accordance with section 28 of the *Corporations Act*;
- (b) the purchase by an insurer of its own preference shares in accordance with section 28 or 38 of the *Corporations Act*;
- (c) the holding of shares by the insurer or by a subsidiary of the insurer as an executor, administrator, guardian or trustee in accordance with subsection 111 (2) of the *Corporations Act* or the holding of an ownership interest in the same capacity in similar circumstances; or
- (d) subject to the *Corporations Act*, the holding of shares or an ownership interest for a period of not more than 180 days if the shares or ownership interest are acquired on the realization of a security interest.

#### **Value of loans, investments and interests in property**

**14.** (1) For the purposes of subsection 435.8 (1) of the Act, if an investment is acquired by an insurer or a prescribed subsidiary under section 435.6 of the Act, the value of the investment shall not be included in calculating the value of loans, investments and interests in property acquired by the insurer or prescribed subsidiary for the purposes of sections 435.9 to 435.12.

(2) Subsection (1) and subsection 435.8 (1) of the Act do not apply to an investment or an interest in real property if the insurer or prescribed subsidiary acquired the investment or interest in real property,

- (a) as a result of the realization of a security interest in real property that is a loan, debt obligation or guarantee described in any of items 11 to 19 in the Table in subsection 17 (1); or
- (b) as a result of a default referred to in subsection 435.3 (1) of the Act under the terms of the agreement governing an interest in real property that is a loan, debt obligation or guarantee referred to in any of the Items mentioned in clause (a).

#### **Limit on commercial loans and loans to individuals**

**15.** (1) For the purposes of subsection 435.9 (2) of the Act, the amount determined under the regulations is five per cent of the total assets of the insurer.

(2) For the purposes of subsection (1), the total assets of the insurer is the amount that would be calculated under section 18 as the total assets of the insurer for the purposes of section 435.14 of the Act if the insurer's last balance sheet prepared before the time of the calculation is deemed to be the balance sheet that would be prepared as of the time the determination is made under subsection 435.9 (2) of the Act.



**Limits on investments**

16. (1) For the purposes of subsection 435.10 (1) of the Act, the amount determined under the regulations is 10 per cent of the total assets of the insurer.

(2) In determining whether to give an approval under clause 435.10 (2) (c) of the Act, the Superintendent shall consider the following:

1. The reasons for the acquisition or improvement that would cause the insurer to exceed the limit set out in subsection (1).
2. The extent to which the acquisition or improvement would cause the insurer to exceed the limit set out in subsection (1).
3. Whether the investment can reasonably be expected to expose the insurer to an undue risk.
4. Whether the investment can reasonably be expected to hinder the supervision and regulation of the insurer.

(3) For the purposes of subsection 435.11 (2) of the Act, the amount determined under the regulations is 25 per cent of the total assets of the insurer.

(4) For the purposes of subsection 435.12 (2) of the Act, the amount determined under the regulations is 35 per cent of the total assets of the insurer.

(5) For the purposes of this section, the total assets of the insurer is the amount that would be calculated under section 15 as the total assets of the insurer for the purposes of section 435.14 of the Act if the insurer's last balance sheet prepared before the time of the calculation is deemed to be the balance sheet that would be prepared as of the time the determination is made under subsection 435.9 (2) of the Act.

(6) For the purposes of subsection 435.14 (1) of the Act, the value of participating shares and ownership interests referred to in sections 435.11 and 435.12 of the Act that are beneficially owned by an insurer or by those of its subsidiaries that are prescribed subsidiaries for the purposes of section 435.14 of the Act is the book value of the shares and ownership interests that would be reported on the insurer's consolidated balance sheet as of the time the determination is made.

**INTERESTS IN REAL PROPERTY****Interests in real property**

17. (1) For the purposes of Part XVII of the Act, the interest of an insurer or a prescribed subsidiary of an insurer in each of the types of property listed in Column 2 in the following Table is an interest in real property for the purposes of Part XVII of the Act and the value of the interest is the amount determined under the provisions set out opposite the type of property in Column 3 of the Table:

**TABLE OF REAL PROPERTY INTERESTS**

Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
1.	Real property beneficially owned by the insurer or by a designated entity controlled by the insurer.	The book value of the real property.
2.	A debt obligation for which the insurer or a designated entity controlled by the insurer is liable that was issued for the purpose of acquiring or improving real property described in Item 1.	The amount, if any, by which the book value of the debt obligation exceeds the book value of the real property.
3.	Real property, (a) that is beneficially owned by, (i) a related real property entity of the insurer that is a joint venture, or (ii) an entity in which an entity described in subclause (i) has a substantial investment; and (b) that would be reported on a balance sheet of the insurer prepared in accordance with section 104 of the Act.	The book value of the real property.
4.	Shares and ownership interests beneficially owned by the insurer, or by a designated entity controlled by the insurer, in any related real property entity of the insurer, other than a related real property entity referred to in Item 3.	The book value of the shares and ownership interests.
5.	A debt obligation that was issued by a related real property entity of the insurer and that is beneficially owned by the insurer or by a designated entity controlled by the insurer.	The book value of the debt obligation.
6.	A loan made by the insurer or a designated entity controlled by the insurer to a related real property entity of the insurer.	The book value of the loan.

Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
7.	A loan made by the insurer or a designated entity controlled by the insurer to, (a) a real property entity in which a financial institution controlled by the insurer has a substantial investment; or (b) a real property entity that is controlled by a real property entity described in clause (a).	The book value of the loan.
8.	A debt obligation that was issued by a real property entity described in clause (a) or (b) of Item 7 and that is beneficially owned by the insurer or a designated entity controlled by the insurer.	The book value of the debt obligation.
9.	A debt obligation that is, (a) issued by a related real property entity of the insurer; (b) beneficially owned by a third party; and (c) guaranteed by the insurer or a designated entity controlled by the insurer.	If the debt obligation is issued by a related real property entity and the entity beneficially owns real property that is an interest of the insurer in real property described in Item 3, the amount, if any, by which the face value of the guarantee exceeds the value of that real property. In any other case, the face value of the guarantee.
10.	A loan made by a third party to a related real property entity of the insurer and guaranteed by the insurer or a designated entity controlled by the insurer.	If the loan is made to a related real property entity and the entity beneficially owns real property that is an interest of the insurer in real property described in Item 3, the amount, if any, by which the face value of the guarantee exceeds the value of that real property. In any other case, the face value of the guarantee.
11.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the total net realizable value of any other security interests that were given for the loan.
12.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the total net realizable value of any other security interests that were given for the debt obligation.
13.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by real property beneficially owned by the third party in conjunction with, (a) the insurer; (b) the designated entity; (c) a related real property entity of the insurer; (d) a financial institution controlled by the insurer; (e) an entity controlled by a financial institution controlled by the insurer; or (f) a real property entity described in Item 7.	The lesser of, (a) the net realizable value of the third party's interest in the real property at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the total net realizable value of any other security interests that were given for the debt obligation.

Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
14.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the loan, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.
15.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the debt obligation, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.
16.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in an entity that beneficially owns real property in conjunction with the insurer, a related real property entity of the insurer or a designated entity controlled by the insurer.	The lesser of, (a) the net realizable value of the third party's interest in those shares or ownership interests at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the amount determined by subtracting from "A" the amount determined by multiplying "B" by "C", where, "A" is the total net realizable value of all security interests that were given for the loan or debt obligation, "B" is the net realizable value of the entity's interest in the real property, and "C" is the ratio of the value of the shares or ownership interests that are given as the security interest to the total value of all outstanding shares or ownership interests in the entity.
17.	A loan made by the insurer or a designated entity controlled by the insurer to a third party that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the loan exceeds the total net realizable value of all other security interests given for the loan.
18.	A debt obligation of a third party beneficially owned by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the book value of the debt obligation exceeds the total net realizable value of all other security interests given for the debt obligation.



Column 1 Item	Column 2 Description of Real Property Interest	Column 3 Value of the Real Property Interest
19.	A debt obligation of a third party guaranteed by the insurer or a designated entity controlled by the insurer that is secured by shares or ownership interests beneficially owned by a third party in a related real property entity of the insurer.	The lesser of, (a) the net realizable value of the third party's interest in the shares or ownership interests at the time that the security interest was given; and (b) the amount by which the face value of the guarantee exceeds the total net realizable value of all other security interests given for the debt obligation.
20.	A guarantee given by the insurer or a designated entity controlled by the insurer to an entity other than the insurer or the designated entity for the purpose of completing the development of real property that is beneficially owned by, (a) the insurer; (b) the designated entity controlled by the insurer; or (c) a related real property entity of the insurer.	The estimated cost of completing the development of the real property.
21.	An agreement made by the insurer or a designated entity controlled by the insurer to support a third party's cost of operating or financing real property that is beneficially owned by, (a) the insurer; (b) the designated entity controlled by the insurer; or (c) a related real property entity of the insurer.	The amount of any funds advanced pursuant to the agreement by the insurer or the designated entity controlled by the insurer.

(2) The book value at a particular time of property that is an interest in real property for the purposes of Part XVII of the Act is,

- if the property is real property, the gross book value of the real property, less any accumulated depreciation on the real property, that would be reported on a balance sheet of the insurer prepared as of the particular time in accordance with section 104 of the Act; or
- if the property consists of shares of or an ownership interest in another entity or a debt obligation or loan, the book value of the shares, ownership interest, debt obligation or loan that would be reported on a balance sheet of the insurer prepared as of the particular time in accordance with section 104 of the Act.

#### MATTERS PRESCRIBED FOR THE PURPOSES OF SECTION 435.14 OF THE ACT

##### Total assets for purposes of s. 435.14 of the Act

18. (1) For the purposes of section 435.14 of the Act, the total assets of an insurer at a particular time is the amount calculated using the formula,

$$A - B$$

in which,

"A" is the total amount of the assets reported on the insurer's last balance sheet prepared in accordance with section 104 of the Act before that time, and

"B" is the total amount of the assets included in the value of "A" that are assets of a subsidiary of the insurer that is,

- a financial institution, or
- a subsidiary of a financial institution that is not a subsidiary of the financial institution only because it is a subsidiary of the insurer.

(2) For the purposes of section 435.14 of the Act, the following rules apply for the purposes of determining the value of assets that are acquired or transferred:

- The value of assets that are acquired is,
  - the fair market value of the assets if the assets are shares of or ownership interests in an entity and the value of the assets of that entity will be included in the annual statement of the insurer after the acquisition, or
  - the purchase price of the assets in any other case.
- The value of assets that are transferred is,
  - the value of the assets as stated in the insurer's last annual statement if the assets are shares of or ownership interests in an entity and the value of the entity's assets was included in the insurer's last annual statement before the transfer, or
  - the book value of the assets as stated in the insurer's last annual statement prepared before the transfer, in any other case.

- (3) For the purposes of clause 435.14 (3) (c) of the Act, subsection 435.14 (1) of the Act does not apply,
- (a) to the acquisition by an insurer or its subsidiary of shares of or ownership interests in an entity in circumstances in which the approval of the Superintendent is required under section 435.1 of the Act;
  - (b) to a transfer or acquisition that is a transaction or part of a series of transactions between the insurer and a financial institution as a result of the insurer's participation in one or more syndicated loans with that financial institution; and
  - (c) to an acquisition or transfer that has been approved by the Superintendent under a provision of the Act or this Regulation.

### COMMENCEMENT

#### Commencement

19. This Regulation comes into force on the later of the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.

## RÈGLEMENT DE L'ONTARIO 122/08

pris en application de la

### LOI SUR LES ASSURANCES

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## ACTIVITÉS DE PLACEMENT ET DE PRÊT — ASSUREURS DE DOMMAGES ET SOCIÉTÉS FRATERNELLES

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**Champ d'application**

1. (1) Le présent règlement s'applique aux assureurs et aux sociétés fraternelles qui sont assujettis à la partie XVII de la Loi, à l'exclusion toutefois des assureurs, autres que des sociétés fraternelles, qui sont titulaires d'un permis délivré en vertu de cette loi les autorisant à faire souscrire de l'assurance-vie.

(2) Sauf disposition contraire, la mention d'un assureur dans le présent règlement vaut mention d'un assureur ou d'une société fraternelle auquel s'applique celui-ci.

**Définitions**

2. (1) Les définitions qui suivent s'appliquent au présent règlement.

«coentreprise» Entité immobilière présentant les caractéristiques suivantes :

- a) elle a été créée par un assureur, ou une entité désignée contrôlée par lui, et une ou plusieurs autres personnes dans le but d'exercer des activités commerciales déterminées;
- b) l'assureur ou l'entité désignée a acquis et détient un intérêt de groupe financier dans elle;
- c) les personnes qui l'ont créée ont convenu d'exercer un contrôle conjoint à son égard, quelle que soit l'importance de leur participation. («joint venture»)

«courtier de fonds mutuels» Entité dont la principale activité est celle d'un agent intermédiaire dans la vente de parts, d'actions ou d'autres intérêts d'un fonds mutuel et dans la perception des paiements y afférents, à condition que :

- a) le produit de la vente soit versé au fonds, déduction faite de la commission de vente et des frais de service;
- b) le fait que la vente comporte une commission et des frais de service soit porté à la connaissance de l'acquéreur avant l'achat. («mutual fund dealer»)

«entité désignée» Relativement à un assureur, toute entité qui n'est pas l'une ou l'autre des entités suivantes :

- a) une coentreprise;
- b) une institution financière;
- c) la filiale d'une institution financière qui n'est pas une filiale de cette dernière du seul fait qu'elle est une filiale de l'assureur. («designated entity»)

«entité immobilière» S'entend :

- a) soit d'une entité dont l'activité consiste principalement en la détention ou en la gestion de biens immeubles ou en la prise d'autres mesures à leur égard;
- b) soit d'une entité qui se livre principalement à la détention ou au commerce :
  - (i) soit d'actions ou de titres de participation d'une entité visée à l'alinéa a),
  - (ii) soit d'actions ou de titres de participation d'une autre entité qui se livre principalement à la détention ou au commerce d'actions ou de titres de participation d'une entité visée à l'alinéa a). («real property entity»)

«entité immobilière apparentée» Relativement à un assureur, s'entend :

- a) soit d'une entité immobilière, autre qu'une entité désignée contrôlée par l'assureur, à l'égard de laquelle l'assureur ou l'entité désignée qu'il contrôle est propriétaire bénéficiaire d'un nombre d'actions ou de titres de participation tel qu'il détient un intérêt de groupe financier dans l'entité immobilière;
- b) soit d'une entité immobilière contrôlée par une entité immobilière visée à l'alinéa a). («related real property entity»)

«entité s'occupant de services financiers» Entité qui est, selon le cas :

- a) une institution financière;
- b) une entité indiquée à l'une ou l'autre des dispositions 1 à 8 du paragraphe 5 (1);
- c) toute autre entité dont l'activité commerciale principale consiste en la fourniture de services financiers. («financial services entity»)

«immeuble résidentiel» Bien immeuble qui comprend un ou plusieurs bâtiments dont au moins la moitié de la surface de plancher sert ou doit servir de local d'habitation. («residential real property»)

«participation minoritaire» Relativement à une entité contrôlée par un assureur, participation dans l'entité qui est détenue par une personne qui n'est ni l'assureur ni une autre entité contrôlée par lui. («minority interest»)

«tierce partie» Relativement à un assureur, une autre personne qui n'est :

- a) ni une entité désignée contrôlée par l'assureur;



b) ni une entité immobilière apparentée à l'assureur. («third party»)

(2) Pour l'application du présent règlement et sous réserve du paragraphe (3), le capital de l'assureur correspond, à une date donnée, au montant calculé selon la formule suivante :

$$A - B$$

où :

«A» représente le total des montants suivants qui seraient compris dans ses états financiers si ceux-ci étaient établis conformément à l'article 104 de la Loi à la date donnée :

1. Le montant des participations minoritaires.
2. Le montant des titres secondaires.
3. Le montant de l'excédent de l'actif sur le passif.

«B» représente le montant attribué à l'achalandage qui serait compris dans les états financiers visés dans la définition de l'élément «A».

(3) Dans le calcul du capital de l'assureur selon le paragraphe (2), il ne peut être inclus un montant au titre de valeurs mobilières que si celles-ci répondent aux conditions suivantes :

- a) selon leurs termes, elles prennent rang, quant aux droits de paiement, après les dettes liées aux polices et les autres dettes de l'entité qui les a émises, à l'exception des dettes dont le paiement, selon leurs propres termes, est de rang égal ou inférieur à ces valeurs mobilières;
- b) elles sont émises et entièrement libérées;
- c) s'il s'agit de titres secondaires ou d'actions privilégiées :
  - (i) leur échéance minimale initiale est d'au moins cinq ans ou elles n'ont pas d'échéance déclarée,
  - (ii) elles ne peuvent être remboursées ou rachetées ni achetées pour annulation durant les cinq premières années suivant leur émission.

#### Prêt commercial : questions prescrites

3. (1) Pour l'application du sous-alinéa a) (i) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi, le montant prescrit est de 250 000 \$.

(2) Les organismes internationaux prescrits pour l'application des sous-alinéas a) (iii) et b) (ii) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi sont les suivants :

1. La Banque internationale pour la reconstruction et le développement.
2. La Société financière internationale.
3. La Banque interaméricaine de développement.
4. La Banque asiatique de développement.
5. La Banque africaine de développement.
6. La Banque européenne d'investissement.
7. La Banque de développement des Caraïbes.
8. La Banque nordique d'investissement.
9. La Banque européenne pour la reconstruction et le développement.
10. La Banque de développement du Conseil de l'Europe.

(3) Pour l'application des sous-alinéas b) (iv) et c) (i) de la définition de «prêt commercial» au paragraphe 432 (1) de la Loi, les valeurs mobilières qui sont des titres de créance, des actions ou des titres de participation sont largement distribuées si les conditions suivantes sont remplies :

1. Il s'agit de titres de créance qui sont exemptés, quant à leur placement, du dépôt d'un prospectus exigé par une loi de l'Ontario, du Canada, d'une autre province du Canada ou d'une autorité législative de l'extérieur du Canada et qui présentent l'une ou l'autre des caractéristiques suivantes :
  - i. au moins 90 pour cent de leur principal maximal autorisé est détenu par une ou plusieurs personnes — autres que l'assureur en cause et ses filiales — et :
    - A. soit ils ont été émis à au moins 25 personnes, autres que l'assureur en cause et ses filiales — dans les six mois suivant la date d'émission du premier titre de créance,

- B. soit ils sont émis de façon continue et le nombre moyen de détenteurs — autres que l'assureur en cause et ses filiales — s'élève à au moins 25,
- ii. au moment de leur placement initial, ils remplissaient au moins trois des conditions suivantes :
  - A. ils avaient une durée initiale inférieure à un an,
  - B. ils avaient été évalués par une agence d'évaluation,
  - C. leur placement avait été fait par l'intermédiaire d'une personne habilitée à faire le commerce des valeurs mobilières,
  - D. leur placement avait été fait en conformité avec une circulaire ou une notice d'offre ou un document semblable relatif au placement de valeurs mobilières.
- 2. Il s'agit de valeurs mobilières autres que des titres de créance visés à la disposition 1 qui présentent l'une ou l'autre des caractéristiques suivantes :
  - i. elles sont officiellement cotées à une bourse reconnue,
  - ii. elles font l'objet d'un prospectus relatif à leur émission qui a été déposé aux termes d'une loi de l'Ontario, du Canada, d'une autre province du Canada ou d'une autorité législative de l'extérieur du Canada.

#### Filiale prescrite

4. Pour l'application de la définition de «filiale prescrite» au paragraphe 432 (1) de la Loi, une filiale prescrite de l'assureur est une filiale de celui-ci qui n'est :

- a) ni une institution financière;
- b) ni une entité qui est une filiale d'une institution financière pour une raison autre qu'elle est une filiale de l'assureur.

#### INTÉRÊTS DE GROUPE FINANCIER DANS DES ENTITÉS ADMISSIBLES

#### Entités admissibles

5. (1) Pour l'application de la définition de «entité admissible» au paragraphe 432 (1) de la Loi, chacune des entités suivantes est une entité admissible à l'égard de l'assureur :

- 1. Un conseiller en placement.
- 2. Un gestionnaire de portefeuille.
- 3. Un courtier ou agent d'assurances, si l'entité est titulaire d'un permis délivré en vertu de la Loi, est inscrite sous le régime de la *Loi sur les courtiers d'assurance inscrits* ou est inscrite sous le régime d'une loi comparable d'une autre autorité législative du Canada ou titulaire d'un permis délivré en vertu de celle-ci.
- 4. Un courtier ou agent en hypothèques, si l'entité est inscrite sous le régime de la *Loi sur les courtiers en hypothèques*, de la *Loi de 2006 sur les maisons de courtage d'hypothèques*, les *prêteurs hypothécaires* et les *administrateurs d'hypothèques* ou d'une loi comparable d'une autre autorité législative du Canada ou est titulaire d'un permis délivré en vertu de l'une ou l'autre loi.
- 5. Un courtier de fonds mutuels.
- 6. Un fonds mutuel, au sens du paragraphe 1 (1) de la *Loi sur les valeurs mobilières*, dont l'activité se limite au placement de ses fonds afin d'offrir des services de diversification et de gestion professionnelle des placements aux détenteurs de ses valeurs mobilières.
- 7. Un fonds d'investissement à capital fixe, au sens du paragraphe 1 (1) de la *Loi sur les valeurs mobilières*, dont l'activité se limite au placement de ses fonds afin d'offrir des services de diversification et de gestion professionnelle des placements aux détenteurs de ses valeurs mobilières et dont les valeurs mobilières :
  - i. sont diffusées au public en nombre fixe dans le cadre d'une émission faite en vertu d'un prospectus provisoire, d'un prospectus, d'un prospectus simplifié ou d'un document de même nature conformément aux lois d'une province du Canada ou d'un pays étranger,
  - ii. sont négociées sur les marchés reconnus et réglementés,
  - iii. font l'objet, à une date d'échéance fixe, d'une liquidation dont le produit est réparti entre les détenteurs en fonction du nombre de valeurs mobilières qu'ils détiennent.
- 8. Un séquestre ou un liquidateur.
- 9. Une entité, autre qu'une institution financière, dont les activités commerciales se limitent à une ou plusieurs des activités commerciales prescrites par le paragraphe (2) et qui remplit les conditions éventuelles se rapportant à ces activités qui sont énoncées à ce paragraphe.

- (2) Les activités commerciales prescrites pour l'application de la disposition 9 du paragraphe (1) sont les suivantes :
1. Fournir des services financiers.
  2. Détenir ou gérer des biens immeubles ou prendre d'autres mesures à leur égard.
  3. Exercer l'activité d'un courtier immobilier ou autrement agir en qualité de mandataire pour des vendeurs, des acheteurs, des locataires ou des bailleurs de biens immeubles ou fournir des services de consultation ou d'évaluation en matière de biens immeubles.
  4. Faire la promotion de marchandises et de services auprès des détenteurs de cartes de paiement, de crédit ou de débit émises par l'assureur.
  5. Fournir au Canada des services de traitement des données ou d'autres services de traitement de l'information se rapportant aux institutions financières si les conditions suivantes sont remplies :
    - i. l'assureur a mis au point les systèmes de traitement à ses propres fins et ces systèmes font partie intégrante de ses activités,
    - ii. les services sont fournis à des entités dans lesquelles l'assureur détient un intérêt de groupe financier et qui ne fournissent pas des services de traitement de l'information à d'autres entités.
  6. Recueillir, manipuler et transmettre de l'information :
    - i. soit principalement de nature financière ou économique,
    - ii. soit afférente aux activités commerciales exercées par les entités qui sont des entités admissibles à l'égard des assureurs auxquels s'applique le présent règlement.
  7. Fournir des services consultatifs ou autres en matière de conception, de développement et de mise sur pied de services de gestion de l'information.
  8. Concevoir, développer ou commercialiser des logiciels.
  9. Concevoir, développer, fabriquer ou vendre du matériel informatique indispensable à la prestation de services d'information concernant les activités commerciales d'institutions financières ou à la prestation de services financiers, s'il s'agit d'une activité accessoire à toute activité commerciale visée à la disposition 6, 7 ou 8 et exercée par l'assureur.
  10. S'occuper, notamment en les concevant, les développant, les détenant, les gérant, les fabriquant ou les vendant, de systèmes de transmission de données, de sites d'information, de moyens de communication ou de plateformes informatiques ou de portails d'information qui sont utilisés :
    - i. soit pour fournir de l'information principalement de nature financière ou économique,
    - ii. soit pour fournir de l'information afférente aux activités commerciales exercées par les entités qui sont des entités admissibles à l'égard des assureurs auxquels s'applique le présent règlement,
    - iii. soit à une fin ou dans des circonstances substantiellement reliées à la fourniture de produits ou services financiers par l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier.
  11. S'occuper, notamment en les concevant, les développant, les détenant, les gérant, les fabriquant ou les vendant, de systèmes de transmission de données, de sites d'information, de moyens de communication ou de plateformes informatiques ou de portails d'information qui sont utilisés pour la prestation de services d'information.
  12. Faire fonction de gardien de biens.
  13. Vendre ce qui suit :
    - i. des billets, y compris de loterie, à titre de service public non lucratif, pour des fêtes ou activités spéciales, temporaires, à caractère non commercial et d'intérêt local, municipal, provincial ou national,
    - ii. des billets de transport en commun urbain,
    - iii. des billets d'une loterie parrainée par le gouvernement fédéral, un gouvernement provincial ou une administration municipale, ou encore par un de leurs organismes.
  14. Fournir des services raisonnablement connexes aux activités de l'assureur, notamment un ou plusieurs des services suivants :
    - i. offrir des services en matière de sécurité et prévention, de gestion des risques et d'évaluation ou de règlement des sinistres,
    - ii. fournir et exploiter des centres de rééducation et de perfectionnement,
    - iii. fournir de l'équipement informatique aux courtiers et agents d'assurances,



- iv. fournir de l'aide aux courtiers et agents d'assurances,
- v. exploiter des centres de réparation et d'évaluation.

15. Fournir des services aux seules entités suivantes :

- i. l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier autorisé en vertu de la Loi ou du présent règlement,
- ii. une ou plusieurs des entités indiquées à la sous-disposition i et :
  - A. soit une entité s'occupant de services financiers,
  - B. soit une entité qui est une entité admissible à l'égard de l'assureur et dans laquelle une entité s'occupant de services financiers détient un intérêt de groupe financier.

16. Exercer toute autre activité commerciale qui n'est pas visée aux dispositions 1 à 15 et qui se rapporte :

- i. soit à la promotion, à la vente, à la livraison ou à la distribution d'un service ou d'un produit financiers qui est fourni par l'assureur, une de ses filiales ou une entité dans laquelle il détient un intérêt de groupe financier autorisé en vertu de la Loi ou du présent règlement,
- ii. soit à la promotion, à la vente, à la livraison ou à la distribution d'un service ou d'un produit financiers qui est fourni par une entité s'occupant de services financiers, si l'activité commerciale de l'entité consiste, en grande partie, en une activité visée à la sous-disposition i.

17. Acquérir ou détenir des actions ou des titres de participation d'entités dans lesquelles l'assureur est autorisé, en vertu de la Loi ou du présent règlement, à détenir un intérêt de groupe financier.

(3) Malgré le paragraphe (1), l'entité qui est une entité admissible au titre de l'une ou l'autre des dispositions 1 à 8 du paragraphe (1) ne cesse pas de l'être du seul fait qu'elle exerce une ou plusieurs activités commerciales exercées par une autre entité indiquée à l'une ou l'autre de ces dispositions ou une ou plusieurs activités commerciales prescrites par le paragraphe (2), pourvu qu'elle remplisse les conditions éventuelles se rapportant à l'autre entité ou à l'activité commerciale.

(4) Malgré les paragraphes (1) et (2), les entités suivantes ne sont pas des entités admissibles à l'égard d'un assureur :

- 1. L'entité dont l'activité se limite à l'affacturage, y compris l'octroi de prêts et la levée de fonds en vue de financer cette activité.
- 2. L'entité qui exerce, au Canada, des activités de crédit-bail mobilier, notamment :
  - i. la conclusion de contrats de vente conditionnelle portant sur des biens meubles et l'acceptation de la cession de tels contrats,
  - ii. l'administration de contrats de crédit-bail et de contrats de vente conditionnelle pour le compte d'une autre personne,
  - iii. la levée de fonds pour financer ses propres activités et le placement de ces fonds jusqu'à leur utilisation à cette fin.
- 3. L'entité, autre qu'une institution financière ou une entité visée à la disposition 1 ou 2, qui exerce l'une ou l'autre des activités suivantes :
  - i. l'émission de cartes de paiement, de crédit ou de débit et, conjointement avec d'autres établissements, y compris les institutions financières, l'utilisation d'un système de telles cartes,
  - ii. l'octroi ou le refinancement de prêts ou la conclusion de tout autre arrangement semblable visant à consentir des fonds ou du crédit.

4. L'entité s'occupant de financement spécial prescrite pour l'application de l'article 435.5 de la Loi.

5. L'entité dont l'activité consiste à fournir des services spéciaux de gestion commerciale et des services de consultation.

6. L'entité indiquée au paragraphe (1) dont les activités commerciales comprennent l'acceptation de dépôts.

(5) Pour l'application du paragraphe 435.1 (1) de la Loi et sous réserve des paragraphes (6), (7) et (9) du présent article, l'assureur peut, sous réserve de l'article 435.7 de la Loi, acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible uniquement si toutes les conditions suivantes qui s'appliquent en l'occurrence sont remplies :

- 1. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans l'une ou l'autre des entités admissibles suivantes qu'avec l'approbation du surintendant :
  - i. Une institution financière.
  - ii. Une entité qui est une entité admissible au titre la disposition 1, 2 ou 5 du paragraphe (1) et qui :

- A. soit n'est pas inscrite sous le régime de la *Loi sur les valeurs mobilières* ou d'une loi comparable d'une autre autorité législative du Canada,
  - B. soit est dispensée des exigences relatives à l'inscription.
- iii. Une entité admissible qui exerce une activité visée à la disposition 1, 6, 7, 8, 9, 10, 11, 14 ou 16 du paragraphe (2).
  - iv. Une entité qui est une entité admissible au titre de la disposition 6 ou 7 du paragraphe (1) et qui n'est pas réglementée par la *Loi sur les valeurs mobilières* ou une loi comparable d'une autre autorité législative du Canada.
  - v. Une entité admissible qui exerce une activité visée à la disposition 17 du paragraphe (2) sauf si, au moment de l'acquisition de l'intérêt ou par la suite, l'entité admissible est une filiale de l'assureur et ne détient pas de participation dans une entité dans laquelle l'assureur n'est pas autorisé à acquérir un intérêt de groupe financier sans l'approbation du surintendant.
2. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans l'une ou l'autre des entités admissibles suivantes que s'il contrôle l'entité admissible après l'acquisition ou que l'acquisition et la détention de l'intérêt sont autorisées en vertu de la disposition 3 ou 4 :
- i. Une institution financière.
  - ii. Une entité admissible qui exerce une activité visée à la disposition 17 du paragraphe (2) si cette activité comprend l'acquisition d'un intérêt de groupe financier dans une ou plusieurs institutions financières.
3. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible indiquée à la sous-disposition 2 i ou ii, sans la contrôler après l'acquisition, que si, après l'acquisition, la valeur totale des placements et des prêts suivants ne dépasse pas 50 pour cent de son capital :
- i. Les actions de personnes morales et les titres de participation d'entités non constituées en personne morale dont sont propriétaires bénéficiaires l'assureur ou des entités admissibles indiquées à la sous-disposition 2 i ou ii dans lesquelles l'assureur détient un intérêt de groupe financier mais qu'il ne contrôle pas.
  - ii. Les prêts dont chacun est détenu par l'assureur ou une entité admissible visée à la sous-disposition i.
  - iii. Les garanties existantes consenties par une entité admissible visée à la sous-disposition i ou au nom d'entités admissibles visées à cette sous-disposition.
4. L'assureur qui est une société d'assurance mutuelle participant au Fonds mutuel d'assurance-incendie peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible indiquée à la sous-disposition 2 i ou ii, sans la contrôler lui-même après l'acquisition, si, après celle-ci, au moins deux des sociétés d'assurance mutuelle qui participent au Fonds ont le contrôle de l'entité admissible ou l'acquerront par suite de l'acquisition.
5. L'assureur ne peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité dont l'activité est visée à la disposition 11 du paragraphe (2) que si la somme des valeurs suivantes ne dépasse pas cinq pour cent de son capital :
- i. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales, soit individuellement, soit conjointement, acquerraient dans l'entité admissible.
  - ii. La valeur comptable totale des actions et des titres de participation que l'assureur et ses filiales détiennent déjà, soit individuellement, soit conjointement, dans d'autres entités qui exercent une activité visée à la disposition 11 du paragraphe (2) et dans lesquelles l'assureur détient un intérêt de groupe financier.
  - iii. La valeur totale des prêts non remboursés que l'assureur et ses filiales ont consentis, soit individuellement, soit conjointement, à des entités qui exercent une activité visée à la disposition 11 du paragraphe (2) et dans lesquelles l'assureur détient un intérêt de groupe financier.
- (6) L'assureur peut acquérir, détenir ou augmenter un intérêt de groupe financier dans une entité admissible dont les activités comprennent l'acquisition et la détention d'un intérêt de groupe financier dans d'autres entités si les conditions suivantes sont remplies :
- i. l'entité admissible est une telle entité en raison du paragraphe (1),
  - ii. l'assureur serait, si ce n'était de la disposition 1, 2 ou 3 du paragraphe (5), autorisé en vertu de l'article 435.1, 435.2, 435.3, 435.4, 435.5 ou 435.6 de la *Loi* à acquérir un intérêt de groupe financier dans l'autre entité.
- (7) La disposition 3 du paragraphe (5) ne s'applique pas si l'entité admissible est constituée en personne morale ou organisée sous le régime des lois d'une autorité législative de l'extérieur du Canada et que ces lois ou les pratiques commerciales de cette autorité législative interdisent à l'assureur d'en détenir le contrôle.



(8) S'il contrôle une entité admissible indiquée à la sous-disposition 2 i ou ii du paragraphe (5), l'assureur peut, avec l'approbation du surintendant, se départir du contrôle tout en maintenant dans celle-ci un intérêt de groupe financier uniquement si la valeur totale de ses placements et prêts indiqués aux sous-dispositions 3 i à iii de ce paragraphe ne dépasse pas 50 pour cent de son capital après qu'il s'est départi du contrôle.

(9) Les règles suivantes s'appliquent aux fins du calcul de la valeur totale des placements et des prêts pour l'application des dispositions 3 et 5 du paragraphe (5) :

1. Aucun montant ne doit être inclus à l'égard des actions ou des titres de participation acquis dans les circonstances dans lesquelles s'applique le paragraphe 435.3 (1), 435.4 (1) ou 435.6 (1) de la Loi.
2. La valeur d'un titre de participation détenu par un assureur ou d'un prêt détenu par lui, à une date donnée, correspond à la valeur comptable du titre de participation ou du prêt qui serait déclarée au bilan de l'assureur si celui-ci était établi à cette date conformément à l'article 104 de la Loi.
3. La valeur d'une garantie correspond à sa valeur nominale.

#### Maintien des exceptions

6. (1) Sous réserve du paragraphe (3), les règles énoncées au paragraphe (2) s'appliquent à l'égard d'un intérêt de groupe financier détenu par un assureur dans les circonstances suivantes :

1. L'assureur était autorisé en vertu d'une disposition donnée de la Loi ou des règlements à acquérir un intérêt de groupe financier dans une entité particulière et il en a fait l'acquisition.
2. L'assureur n'est plus autorisé en vertu de la disposition donnée à détenir l'intérêt de groupe financier.
3. L'assureur pourrait être autorisé à détenir l'intérêt de groupe financier en vertu d'une autre disposition de la Loi ou du présent règlement.

(2) Dans les circonstances prévues au paragraphe (1), l'assureur a le droit de continuer de détenir l'intérêt de groupe financier en vertu de la disposition visée à la disposition 3 du même paragraphe s'il remplit les conditions nécessaires pour avoir le droit de détenir ainsi cet intérêt.

(3) Le paragraphe (1) ne s'applique pas à l'égard d'un intérêt de groupe financier si l'alinéa 435.3 (4) b), 435.4 (4) b) ou 435.6 (4) b) de la Loi s'applique.

#### APPROBATION DU SURINTENDANT

##### Critères d'approbation par le surintendant

7. Pour décider de donner ou non l'approbation prévue à l'alinéa 435.3 (4) b), 435.4 (4) b) ou 435.6 (1) a), b), c) ou d) de la Loi, le surintendant tient compte des critères suivants :

- a) la question de savoir s'il est raisonnable de s'attendre à ce que ce placement expose l'assureur à des risques indus;
- b) la question de savoir s'il est raisonnable de s'attendre à ce que ce placement gêne la supervision et la réglementation de l'assureur.

#### AUTRES PLACEMENTS

##### Placements indépendants de la volonté de l'assureur

8. Pour l'application de l'alinéa 435.6 (1) f) de la Loi, l'assureur peut acquérir ou augmenter un intérêt de groupe financier dans une entité, peu importe s'il s'agit d'une entité admissible ou que le placement soit autorisé par ailleurs aux termes de la Loi ou des règlements, si l'acquisition ou l'augmentation résulte d'un ou de plusieurs événements indépendants de la volonté de l'assureur.

#### RESTRICTIONS ET LIMITES RELATIVES AUX ACTIVITÉS COMMERCIALES DE L'ASSUREUR

##### Limite relative aux prêts garantis par une hypothèque sur des immeubles résidentiels

9. (1) Pour l'application de l'article 435.7 de la Loi, il est interdit à l'assureur de consentir un prêt au Canada ou d'acquérir, de détenir ou d'augmenter un intérêt de groupe financier dans une entité admissible visée au paragraphe 5 (1) qui consent un prêt au Canada si les conditions suivantes sont réunies :

- a) le prêt est garanti par un immeuble résidentiel pour l'achat, la rénovation ou l'amélioration de cet immeuble, ou pour le renouvellement d'un prêt consenti à cette fin;
- b) la somme du prêt et du solde impayé de toutes les autres dettes garanties par une hypothèque de rang égal ou supérieur excède 80 pour cent de la valeur de l'immeuble au moment où l'assureur consent le prêt ou acquiert l'intérêt.

(2) Le paragraphe (1) ne s'applique pas :



- a) au prêt consenti ou garanti en vertu de la *Loi nationale sur l'habitation* (Canada) ou de toute autre loi du Canada ou de l'Ontario aux termes de laquelle est fixée une limite différente sur la valeur de l'immeuble qui constitue l'objet de la garantie;
- b) au prêt qui serait interdit par ailleurs en raison de l'alinéa (1) b) si le remboursement de la portion qui excède le plafond fixé à cet alinéa est garanti ou assuré par un organisme gouvernemental ou par une compagnie d'assurance agréée par le surintendant;
- c) à l'acquisition par l'assureur de valeurs mobilières émises ou garanties par une entité et qui confèrent une sûreté sur un immeuble résidentiel soit en faveur d'un fiduciaire, soit de toute autre manière, ni aux prêts consentis par l'assureur à l'entité en contrepartie de l'émission des valeurs mobilières;
- d) au prêt garanti par une hypothèque consentie à l'assureur en garantie du prix de vente d'un bien dont il dispose, y compris aux fins de la réalisation d'une sûreté.

#### Restriction relative aux prêts consentis à certaines entités

10. (1) Le présent article s'applique si l'assureur détient un intérêt de groupe financier dans une entité admissible indiquée à la sous-disposition 2 i ou ii du paragraphe 5 (5) et qu'il a le droit de détenir un tel intérêt en raison soit de la disposition 3 du paragraphe 5 (5), soit du paragraphe 5 (8).

(2) Il est interdit à l'assureur de consentir un prêt à l'entité admissible, et de permettre à une de ses filiales de le faire, si la valeur totale des placements et des prêts visés aux sous-dispositions 3 i à iii du paragraphe 5 (5) excéderait de ce fait 50 pour cent du capital de l'assureur.

(3) Les dispositions 1, 2 et 3 du paragraphe 5 (9) s'appliquent aux fins du calcul de la valeur totale des placements et des prêts pour l'application du paragraphe (2).

#### Restriction relative aux garanties

11. (1) Pour l'application de l'article 435.7 de la Loi, il est interdit à l'assureur de garantir au nom d'un tiers le paiement ou le remboursement d'une somme d'argent, sauf si la personne au nom de qui il fournit la garantie est sa filiale et qu'elle s'est engagée inconditionnellement envers lui à lui en remettre le plein montant.

(2) Le paragraphe (1) n'a pas pour effet d'empêcher l'assureur de garantir un risque d'une catégorie d'assurance à l'égard de laquelle il est titulaire d'un permis délivré en vertu de la Loi.

#### Interdiction relative au crédit-bail

12. Il est interdit à l'assureur d'exercer, au Canada, toute activité de crédit-bail mobilier.

#### Détention de ses propres actions

13. (1) Pour l'application de l'article 435.7 de la Loi et sous réserve du paragraphe (2), l'assureur ne doit faire aucune des choses suivantes :

- 1. Détenir des actions émises par lui ou des actions émises par une personne morale qui le contrôle.
- 2. Détenir des titres de participation d'une entité non constituée en personne morale qui le contrôle.
- 3. Permettre à une de ses filiales de détenir des actions émises par lui ou par une personne morale qui le contrôle.
- 4. Permettre à une de ses filiales de détenir des titres de participation d'une entité non constituée en personne morale qui le contrôle.

(2) Le paragraphe (1) ne s'applique pas à l'égard de ce qui suit :

- a) le rachat d'actions privilégiées conformément à l'article 28 de la *Loi sur les personnes morales*;
- b) l'achat de ses propres actions privilégiées par l'assureur conformément à l'article 28 ou 38 de la *Loi sur les personnes morales*;
- c) la détention d'actions par l'assureur ou par une de ses filiales à titre d'exécuteur testamentaire, d'administrateur successoral, de tuteur ou de fiduciaire conformément au paragraphe 111 (2) de la *Loi sur les personnes morales* ou la détention de titres de participation au même titre dans des circonstances similaires;
- d) sous réserve de la *Loi sur les personnes morales*, la détention d'actions ou de titres de participation pendant au plus 180 jours si ces actions ou ces titres sont acquis par suite de la réalisation d'une sûreté.

#### Valeur des prêts, des placements et des intérêts dans des biens

14. (1) Pour l'application du paragraphe 435.8 (1) de la Loi, si un placement est fait par l'assureur ou une filiale prescrite en vertu de l'article 435.6 de la Loi, la valeur du placement n'est pas prise en compte dans le calcul de la valeur des prêts et placements faits et des intérêts dans des biens acquis par l'assureur ou la filiale prescrite pour l'application des articles 435.9 à 435.12 de la Loi.

(2) Le paragraphe (1) et le paragraphe 435.8 (1) de la Loi ne s'appliquent pas au placement fait ou à l'intérêt immobilier acquis par l'assureur ou une filiale prescrite :

- a) soit par la réalisation d'une sûreté sur un bien immeuble constituée par un prêt, un titre de créance ou une garantie visé à l'un ou l'autre des numéros 11 à 19 du tableau du paragraphe 17 (1);
- b) soit du fait d'un défaut visé au paragraphe 435.3 (1) de la Loi et prévu dans la convention régissant un intérêt immobilier constitué par un prêt, un titre de créance ou une garantie visé à l'un ou l'autre des numéros mentionnés à l'alinéa a).

#### Plafond des prêts commerciaux et des prêts à des particuliers

15. (1) Pour l'application du paragraphe 435.9 (2) de la Loi, le montant calculé conformément aux règlements correspond à cinq pour cent de l'actif total de l'assureur.

(2) Pour l'application du paragraphe (1), l'actif total de l'assureur correspond au montant qui serait calculé à ce titre conformément à l'article 18 pour l'application de l'article 435.14 de la Loi si le dernier bilan de l'assureur établi avant la date où est effectué ce calcul était réputé celui qui serait établi à la date où le calcul est effectué en application du paragraphe 435.9 (2) de la Loi.

#### Plafond des placements

16. (1) Pour l'application du paragraphe 435.10 (1) de la Loi, le montant calculé conformément aux règlements correspond à 10 pour cent de l'actif total de l'assureur.

(2) Pour décider de donner ou non l'approbation prévue à l'alinéa 435.10 (2) c) de la Loi, le surintendant tient compte des critères suivants :

- 1. Les raisons pour l'acquisition ou l'amélioration qui amèneraient l'assureur à excéder le plafond prévu au paragraphe (1).
- 2. La mesure dans laquelle l'acquisition ou l'amélioration amènerait l'assureur à excéder le plafond prévu au paragraphe (1).
- 3. La question de savoir s'il est raisonnable de s'attendre à ce que ce placement expose l'assureur à des risques indus.
- 4. La question de savoir s'il est raisonnable de s'attendre à ce que ce placement gêne la supervision et la réglementation de l'assureur.

(3) Pour l'application du paragraphe 435.11 (2) de la Loi, le montant calculé conformément aux règlements correspond à 25 pour cent de l'actif total de l'assureur.

(4) Pour l'application du paragraphe 435.12 (2) de la Loi, le montant calculé conformément aux règlements correspond à 35 pour cent de l'actif total de l'assureur.

(5) Pour l'application du présent article, l'actif total de l'assureur correspond au montant qui serait calculé à ce titre conformément à l'article 15 pour l'application de l'article 435.14 de la Loi si le dernier bilan de l'assureur établi avant la date où est effectué ce calcul était réputé celui qui serait établi à la date où le calcul est effectué en application du paragraphe 435.9 (2) de la Loi.

(6) Pour l'application du paragraphe 435.14 (1) de la Loi, la valeur des actions participantes et des titres de participation visés aux articles 435.11 et 435.12 de la Loi que détiennent à titre de propriétaire bénéficiaire l'assureur ou celles de ses filiales qui sont des filiales prescrites pour l'application de l'article 435.14 de la Loi correspond à la valeur comptable de ces actions et titres qui figureraient dans le bilan consolidé de l'assureur établi à la date où le calcul est effectué.

### INTÉRÊTS IMMOBILIERS

#### Intérêts immobiliers

17. (1) Pour l'application de la partie XVII de la Loi, l'intérêt de l'assureur ou d'une de ses filiales prescrites dans chaque type de biens qui figure à la colonne 2 du tableau suivant constitue un intérêt immobilier pour l'application de cette partie et sa valeur correspond au montant calculé ainsi qu'il l'est indiqué en regard du type de biens à la colonne 3 :

TABLEAU DES INTÉRÊTS IMMOBILIERS

Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
1.	Le bien immeuble dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du bien immeuble.
2.	Le titre de créance qui est émis en vue de l'acquisition ou de l'amélioration d'un bien immeuble visé au numéro 1 et dont le débiteur est l'assureur ou une entité désignée contrôlée par l'assureur.	L'excédent éventuel de la valeur comptable du titre de créance sur la valeur comptable du bien immeuble.



Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
3.	Le bien immeuble présentant les caractéristiques suivantes : a) le propriétaire bénéficiaire est : (i) soit une entité immobilière apparentée à l'assureur qui est une coentreprise, (ii) soit une entité dans laquelle l'entité visée au sous-alinéa (i) a un intérêt de groupe financier; b) il figurerait dans le bilan de l'assureur établi conformément à l'article 104 de la Loi.	La valeur comptable du bien immeuble.
4.	Les actions et les titres de participation de toute entité immobilière apparentée à l'assureur, autre que celle visée au numéro 3, dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable des actions et des titres de participation.
5.	Le titre de créance qui a été émis par une entité immobilière apparentée à l'assureur et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du titre de créance.
6.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à une entité immobilière apparentée à l'assureur.	La valeur comptable du prêt.
7.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à l'une des entités suivantes : a) une entité immobilière dans laquelle une institution financière contrôlée par l'assureur a un intérêt de groupe financier; b) une entité immobilière qui est contrôlée par une entité immobilière visée à l'alinéa a).	La valeur comptable du prêt.
8.	Le titre de créance qui a été émis par une entité immobilière visée à l'alinéa a) ou b) du numéro 7 et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire.	La valeur comptable du titre de créance.
9.	Le titre de créance présentant les caractéristiques suivantes : a) il a été émis par une entité immobilière apparentée à l'assureur; b) une tierce partie en est le propriétaire bénéficiaire; c) il est garanti par l'assureur ou une entité désignée contrôlée par lui.	Si le titre de créance a été émis par une entité immobilière apparentée et que celle-ci est le propriétaire bénéficiaire d'un bien immeuble constituant un intérêt immobilier de l'assureur visé au numéro 3, l'excédent éventuel de la valeur nominale de la garantie sur la valeur du bien immeuble.  Dans tous les autres cas, la valeur nominale de la garantie.
10.	Le prêt consenti par une tierce partie à une entité immobilière apparentée à l'assureur et garanti par l'assureur ou une entité désignée contrôlée par lui.	Si le prêt a été consenti à une entité immobilière apparentée et que celle-ci est le propriétaire bénéficiaire d'un bien immeuble constituant un intérêt immobilier de l'assureur visé au numéro 3, l'excédent éventuel de la valeur nominale de la garantie sur la valeur du bien immeuble.  Dans tous les autres cas, la valeur nominale de la garantie.
11.	Le prêt consenti par l'assureur ou une entité désignée contrôlée par lui à une tierce partie et garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du prêt.
12.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du titre.



Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
13.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par un bien immeuble dont la tierce partie est le propriétaire bénéficiaire conjointement avec l'une des entités suivantes : a) l'assureur; b) l'entité désignée; c) une entité immobilière apparentée à l'assureur; d) une institution financière contrôlée par l'assureur; e) une entité que contrôle une institution financière contrôlée par l'assureur; f) une entité immobilière visée au numéro 7.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans le bien immeuble à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur la valeur de réalisation nette totale des autres sûretés fournies à l'égard du titre de créance.
14.	Le prêt consenti à une tierce partie par l'assureur ou une entité désignée contrôlée par lui et garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du prêt, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.
15.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du titre de créance, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.

Colonne 1 Numéro	Colonne 2 Description de l'intérêt immobilier	Colonne 3 Valeur de l'intérêt immobilier
16.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité qui est le propriétaire bénéficiaire d'un bien immeuble conjointement avec l'assureur, une entité immobilière apparentée à l'assureur ou une entité désignée contrôlée par lui.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur le montant obtenu en soustrayant de «A» le produit de «B» par «C» : où : «A» représente la valeur de réalisation nette totale de toutes les sûretés fournies à l'égard du prêt ou du titre de créance, «B» représente la valeur de réalisation nette de l'intérêt que détient l'entité dans le bien immeuble, «C» représente le rapport qui existe entre la valeur des actions ou des titres de participation qui sont fournis à titre de sûreté et la valeur totale des actions en circulation de l'entité ou des titres de participation en circulation de celle-ci.
17.	Le prêt consenti à une tierce partie par l'assureur ou une entité désignée contrôlée par lui et garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du prêt sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du prêt.
18.	Le titre de créance dont le débiteur est une tierce partie et dont l'assureur ou une entité désignée contrôlée par lui est le propriétaire bénéficiaire, garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur comptable du titre de créance sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du titre.
19.	Le titre de créance dont le débiteur est une tierce partie et que garantit l'assureur ou une entité désignée contrôlée par lui s'il est garanti par des actions ou des titres de participation, dont une tierce partie est le propriétaire bénéficiaire, d'une entité immobilière apparentée à l'assureur.	La moins élevée des valeurs suivantes : a) la valeur de réalisation nette de l'intérêt de la tierce partie dans les actions ou les titres de participation à la date à laquelle la sûreté a été fournie; b) l'excédent de la valeur nominale de la garantie sur la valeur de réalisation nette totale de toutes les autres sûretés fournies à l'égard du titre de créance.
20.	La garantie fournie par l'assureur ou une entité désignée contrôlée par lui à une entité — autre que l'assureur ou l'entité désignée — afin d'achever l'aménagement d'un bien immeuble dont le propriétaire bénéficiaire est l'une des entités suivantes : a) l'assureur; b) l'entité désignée contrôlée par l'assureur; c) une entité immobilière apparentée à l'assureur.	Le coût estimatif d'achèvement de l'aménagement du bien immeuble.
21.	La convention conclue par l'assureur ou une entité désignée contrôlée par lui pour aider à payer les frais d'exploitation ou de financement engagés par une tierce partie à l'égard d'un bien immeuble dont le propriétaire bénéficiaire est l'une des entités suivantes : a) l'assureur; b) l'entité désignée contrôlée par l'assureur; c) une entité immobilière apparentée à l'assureur.	Le montant des fonds avancés, aux termes de la convention, par l'assureur ou l'entité désignée contrôlée par lui.

(2) La valeur comptable, à une date donnée, d'un bien qui est un intérêt immobilier pour l'application de la partie XVII de la Loi correspond :

- a) dans le cas d'un bien immeuble, à sa valeur comptable brute, diminuée de l'amortissement cumulé, qui figurerait dans le bilan de l'assureur si celui-ci était établi à la date donnée conformément à l'article 104 de la Loi;

- b) dans le cas d'un bien composé d'actions d'une autre entité ou d'un titre de participation dans celle-ci, d'un titre de créance ou d'un prêt, à sa valeur comptable qui figurerait dans le bilan de l'assureur si celui-ci était établi à la date donnée conformément à l'article 104 de la Loi.

#### QUESTIONS PRESCRITES POUR L'APPLICATION DE L'ARTICLE 435.14 DE LA LOI

##### Actif total pour l'application de l'art. 435.14 de la Loi

**18.** (1) Pour l'application de l'article 435.14 de la Loi, l'actif total de l'assureur à une date donnée correspond au montant calculé selon la formule suivante :

$$A - B$$

où :

«A» représente le total des éléments d'actif figurant dans son dernier bilan établi conformément à l'article 104 de la Loi avant cette date;

«B» représente le total des éléments d'actif inclus dans le calcul de l'élément «A» qui sont des éléments d'actif d'une filiale de l'assureur qui est, selon le cas :

- a) une institution financière;
- b) la filiale d'une institution financière qui n'est pas une filiale de cette dernière du seul fait qu'elle est une filiale de l'assureur.

(2) Pour l'application de l'article 435.14 de la Loi, les règles suivantes s'appliquent aux fins du calcul de la valeur des éléments d'actif qui sont acquis ou transférés :

1. La valeur des éléments d'actif qui sont acquis est la suivante :

- i. la juste valeur marchande des éléments d'actif, s'il s'agit d'actions d'une entité ou de titres de participation dans celle-ci et que la valeur des éléments d'actif de l'entité figurera au rapport annuel de l'assureur après l'acquisition,
- ii. le prix d'achat des éléments d'actif, dans tous les autres cas.

2. La valeur des éléments d'actif qui sont transférés est la suivante :

- i. la valeur des éléments d'actif figurant au dernier rapport annuel de l'assureur, s'il s'agit d'actions d'une entité ou de titres de participation dans celle-ci et que la valeur des éléments d'actif de l'entité figurait au dernier rapport annuel de l'assureur établi avant le transfert,
- ii. la valeur comptable des éléments d'actif figurant au dernier rapport annuel de l'assureur établi avant le transfert, dans tous les autres cas.

(3) Pour l'application de l'alinéa 435.14 (3) c) de la Loi, le paragraphe 435.14 (1) de la Loi ne s'applique pas dans les cas suivants :

- a) l'acquisition par l'assureur ou sa filiale d'actions d'une entité ou de titres de participation dans celle-ci dans des circonstances nécessitant l'obtention de l'approbation du surintendant aux termes de l'article 435.1 de la Loi;
- b) le transfert ou l'acquisition qui constitue une opération ou une partie d'une série d'opérations intervenue entre l'assureur et une institution financière à la suite de la participation de l'assureur et de l'institution à la syndication de prêts;
- c) l'acquisition ou le transfert que le surintendant a approuvé en vertu d'une disposition de la Loi ou du présent règlement.

#### ENTRÉE EN VIGUEUR

##### Entrée en vigueur

**19.** Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (6) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08



**ONTARIO REGULATION 123/08**

made under the

**INSURANCE ACT**

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008**CORPORATE GOVERNANCE — PART II.2 OF THE ACT****Definitions and interpretation****1. (1)** In this Regulation,

“subsidiary” means, in respect of an entity, another entity that is controlled by the entity.

**(2)** In this Regulation and subject to subsection (3),

“officer” means,

**(a)** in respect of a corporation,**(i)** an individual who holds the office of chief executive officer, president, vice-president, secretary, treasurer or controller of the corporation,**(ii)** the manager of the corporation, if the corporation is a mutual insurance corporation, or**(iii)** an individual who is designated as an officer under the by-laws of the corporation or by a resolution of the board of directors of the corporation, or**(b)** in respect of an entity other than a corporation, an individual designated as an officer of the entity by by-law or resolution of the members of the entity or who performs functions normally expected to be performed by an officer of an entity.**(3)** For the purposes of this Regulation, an individual shall not be considered to be an officer of a corporation in the following circumstances:

- 1.** The individual acts solely as a chair or a vice-chair of the board of directors of the corporation or of a committee of the board of directors on a part-time basis and does not receive any remuneration from the corporation other than fees for acting as a member of the board or committee or as the part-time chair or vice-chair of the board or committee.
- 2.** If the corporation is a mutual insurance corporation, the individual holds the office of president or vice-president and acts as the chair or vice-chair of the board of directors of the corporation or of a committee of the board of directors on a part-time basis and does not receive any remuneration from the corporation other than fees for acting as a member of the board or committee or as the part-time chair or vice-chair of the board or committee.

**Affiliated individuals, Part II.2 of the Act****2. (1)** In this section,

“affiliated entity” means, in respect of an insurer, an entity that is affiliated with the insurer for the purposes of Part XVII of the Act; (“entité du même groupe”)

“loan” includes,

**(a)** indebtedness in respect of commercial paper or an acceptance, and**(b)** money borrowed through the withdrawal of money under the terms of a line of credit; (“prêt”)

“significant borrower” means, with respect to an insurer at a particular time,

**(a)** an individual who has obtained a loan from the insurer or an affiliated entity of the insurer, other than a margin loan or a loan secured by a mortgage or charge on the individual’s principal residence, and the principal amount of the loan outstanding at the particular time exceeds the greater of,**(i)** \$200,000, and**(ii)** 0.02 per cent of the insurer’s capital as determined under,**(A)** subsection 2 (2) of Ontario Regulation 122/08 (Investment and Lending Activities — Property and Casualty Insurers and Fraternal Societies) made under the Act, if that regulation applies to the insurer, or

(B) subsection 2 (3) of Ontario Regulation 121/08 (Investment and Lending Activities — Life Insurers) made under the Act, if that regulation applies to the insurer,

- (b) a director or officer of an insurer who has obtained a margin loan from the insurer, the principal amount of which that is outstanding at the particular time exceeds the greater of the amounts set out in subclauses (a) (i) and (ii), or
- (c) an entity other than an individual that has obtained a loan from the insurer or an affiliated entity of the insurer and the principal amount of the loan outstanding at the particular time exceeds the greatest of,
  - (i) \$500,000,
  - (ii) 0.05 per cent of the insurer's capital as determined under subclause (a) (ii), and
  - (iii) 25 per cent of the value of the assets of the entity; ("emprunteur important")

"substantial investment" means an investment that would be a substantial investment for the purposes of Part XVII of the Act. ("intérêt de groupe financier")

(2) For the purposes of Part 11.2 of the Act and this Regulation, an individual is affiliated with an insurer in the following circumstances:

1. The individual is an officer or employee of the insurer or an affiliated entity of the insurer.
  2. The individual has a significant interest, within the meaning of subsection 437.12 (3) of the Act, in a class of shares of the insurer.
  3. The individual has a substantial investment in an affiliated entity of the insurer.
  4. The individual is a significant borrower with respect to the insurer.
  5. The individual,
    - i. is an officer or employee of an entity that is a significant borrower with respect to the insurer, or
    - ii. controls an entity that is a significant borrower with respect to the insurer.
  6. The individual controls two or more entities that have obtained loans from the insurer or from the insurer and one or more affiliated entities of the insurer, and the loans, if they were owed by only one of the entities, would be sufficient to make that entity a significant borrower with respect to the insurer.
  7. The individual provides goods or services to the insurer, is a partner in or an employee of a partnership that provides goods or services to the insurer or is an employee of, or a person who has a substantial investment in, a corporation that provides goods or services to the insurer, and the total annual billings to the insurer in respect of those goods and services exceeds 10 per cent of the total annual billings for goods and services of the individual, partnership or corporation, as the case may be.
  8. A loan made to the individual by the insurer or an affiliated entity of the insurer is not in good standing.
  9. A loan made by the insurer or an affiliated entity of the insurer to an entity controlled by the individual, or of which the individual is a director, officer or employee, is not in good standing.
  10. The individual is the spouse of an individual referred to in any of paragraphs 1 to 9.
  11. The individual is an insurance agent or broker who acts in placing, negotiating, renewing or continuing a contract of insurance with the insurer.
- (3) For the purposes of paragraphs 8 and 9 of subsection (2), a loan shall be considered not to be in good standing at a particular time only if, at that time,

- (a) a payment of principal or interest has become due and payable and has remained unpaid for at least 90 days;
- (b) the lender is not accruing interest in respect of the loan on the lender's books of account because the lender reasonably believes that it is doubtful that the balance of the principal or interest then remaining unpaid will ever be collected from the borrower or otherwise recovered; or
- (c) the rate of interest on the loan has been reduced by the lender because of a reasonable belief that the borrower is financially weak.

#### Audit committee

3. (1) The audit committee of an insurer must have a minimum of three members appointed by the directors of the insurer from among themselves.

(2) A majority of the members of the audit committee must be directors who are not affiliated with the insurer.

(3) The directors of an insurer shall not appoint to the audit committee any director who is an officer or employee of the insurer or of a subsidiary of the insurer.



- (4) Subject to subsections (2) and (3), all of the directors of the insurer may be members of the audit committee.
- (5) The audit committee of an insurer has the following powers and duties:
  1. The audit committee shall review the following and make such recommendations to the directors of the insurer with respect to the following as the committee considers advisable:
    - i. The annual financial statements of the insurer, before the annual financial statements are considered for approval by the directors.
    - ii. The annual statement of the condition of the affairs of the insurer under clause 102 (1) (a) of the Act, any interim statement under clause 102 (1) (b) of the Act and such other returns of the insurer as the Superintendent may specify, before any of those statements or returns are considered for approval by the directors.
    - iii. Any other financial statement or return of the insurer specified by the Superintendent.
  2. The audit committee shall review, evaluate and make such recommendations to the directors of the insurer as the committee considers advisable with respect to the insurer's internal financial control procedures and may, with the directors' approval, give such directions to members of the management staff of the insurer for implementing and maintaining internal financial control procedures as the committee considers advisable.
  3. The audit committee shall review such investments and transactions as the insurer's auditor or a member of the management staff of the insurer may bring to the attention of the committee and shall make such recommendations to the directors of the insurer as the committee considers advisable if the committee considers that an investment or transaction could adversely affect the financial condition of the insurer.
  4. For the purposes of carrying out its duties under paragraphs 1 to 3, the audit committee shall meet with and obtain necessary information from the following persons:
    - i. the insurer's auditor, with respect to the audit committee's duties under paragraphs 1 and 3,
    - ii. if an actuary is required to be appointed, the actuary of the insurer appointed under subsection 121.24 (1) of the Act, with respect to the portions of the statements and returns referred to in paragraph 1 that were prepared by or with information provided by the actuary.
    - iii. the chief internal auditor of the insurer or the employee of the insurer acting in a similar capacity, with respect to internal financial control procedures, and
    - iv. members of the management staff of the insurer, with respect to internal financial control procedures.
  5. The audit committee may, when it considers it appropriate, call a meeting of the board of directors of the insurer to consider any matter of concern to the committee.
- (6) The insurer's auditor or any member of the audit committee may call a meeting of the audit committee on such reasonable notice as may be determined by the committee.
- (7) The audit committee shall ensure that accurate minutes are kept of the committee's meetings.
- (8) The insurer's auditor is entitled to receive notice of every meeting of the audit committee and, at the insurer's expense, is entitled to attend and be heard at the meeting.
- (9) A member of an audit committee of an insurer may request the auditor of the insurer to attend, at the insurer's expense, any or all meetings of the audit committee.
- (10) A director or officer of an insurer who becomes aware of a material error or misstatement in a financial statement on which the insurer's current auditor or a former auditor of the insurer has reported shall promptly notify the audit committee and the insurer's current auditor of the error or misstatement.

#### **Conduct review committee**

4. (1) The conduct review committee of an insurer must have a minimum of three members appointed by the directors of the insurers from among themselves.
- (2) A majority of the members of the conduct review committee must be directors who are not affiliated with the insurer.
- (3) The directors of an insurer shall not appoint to the conduct review committee any director who is an officer or employee of the insurer or of a subsidiary of the insurer.
- (4) Subject to subsections (2) and (3), all of the directors of the insurer may be members of the conduct review committee.
- (5) The conduct review committee of an insurer has the following powers and duties:
  1. The conduct review committee shall direct the appropriate members of the management staff of the insurer to develop procedures and standards to be implemented by the insurer for the purpose of ensuring compliance with Part XVII.1 of the Act.



2. Before procedures and standards referred to in paragraph 1 are implemented, the conduct review committee shall review the procedures and standards and make such recommendations and give such directions as the committee considers advisable.
3. The conduct review committee shall provide a report to the directors of the insurer and the Superintendent on the procedures and standards approved by the committee and shall report any change to those procedures and standards to the directors and the Superintendent as soon as possible after the change is made.
4. The conduct review committee shall periodically review the practices of the insurer to ensure that the insurer is complying with the provisions of Part XVII.1 of the Act and the procedures and standards approved by the committee.
5. The conduct review committee shall ensure that all transactions are identified that,
  - i. are between the insurer and persons who are related parties for the purposes of Part XVII.1 of the Act, and
  - ii. may have a material effect on the stability or solvency of the insurer.
- (6) Any member of the conduct review committee may call a meeting of the committee on such reasonable notice as may be determined by the committee.
- (7) The conduct review committee shall ensure that accurate minutes are kept of the committee's meetings.
- (8) The insurer's auditor is entitled to receive notice of every meeting of the conduct review committee and, at the insurer's expense, is entitled to attend and be heard at the meeting.
- (9) Following each meeting of the conduct review committee, the committee shall provide a report to the directors of the insurer concerning the matters reviewed by the committee at the meeting and may make such recommendations as the committee considers advisable.

#### Exemption

5. An insurer is exempt from the requirement under subsection 121.24 (1) of the Act that its directors establish an audit committee or a conduct review committee if the following conditions are satisfied:

1. All of the voting shares of the insurer, other than director's qualifying shares, if any, are beneficially owned by a financial institution incorporated by or under an Act of the Legislature.
2. The financial institution referred to in paragraph 1 has a committee or other internal body that, for and on behalf of the insurer, performs functions that are substantially similar to the functions required to be performed by the audit committee or conduct review committee, as the case may be.
3. The insurer's policyholders are not entitled to vote at a general or annual meeting of the insurer.

#### Commencement

6. This Regulation comes into force on the later of the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.

## RÈGLEMENT DE L'ONTARIO 123/08

pris en application de la

## LOI SUR LES ASSURANCES

pris le 30 avril 2008

déposé le 2 mai 2008

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## GOUVERNANCE D'ENTREPRISE — PARTIE II.2 DE LA LOI

#### Définitions et interprétation

1. (1) La définition qui suit s'applique au présent règlement.  
«filiale» À l'égard d'une entité, une autre entité qu'elle contrôle.
- (2) La définition qui suit s'applique au présent règlement, sous réserve du paragraphe (3) :

## «dirigeant»

## a) À l'égard d'une personne morale :

- (i) le particulier exerçant les fonctions de directeur général, de président, de vice-président, de secrétaire, de trésorier ou de contrôleur de la personne morale,
- (ii) le directeur de la personne morale, si celle-ci est une société d'assurance mutuelle,
- (iii) le particulier désigné comme dirigeant aux termes des règlements administratifs de la personne morale ou par une résolution de ses administrateurs;

## b) à l'égard d'une entité autre qu'une personne morale, le particulier désigné comme dirigeant de l'entité par voie de règlement administratif ou de résolution de ses membres ou exerçant les fonctions qui incombent normalement au dirigeant d'une entité.

(3) Pour l'application du présent règlement, un particulier ne doit pas être considéré comme un dirigeant d'une personne morale dans les circonstances suivantes :

- 1. Le particulier agit uniquement, à temps partiel, comme président ou vice-président du conseil d'administration de la personne morale ou d'un de ses comités et ne reçoit de la personne morale d'autre rémunération que les honoraires liés aux fonctions de membre du conseil ou comité ou de président ou vice-président à temps partiel du conseil ou comité.
- 2. Si la personne morale est une société d'assurance mutuelle, le particulier exerce les fonctions de président ou vice-président et agit, à temps partiel, comme président ou vice-président du conseil d'administration de la personne morale ou d'un de ses comités et ne reçoit de la personne morale d'autre rémunération que les honoraires liés aux fonctions de membre du conseil ou comité ou de président ou vice-président à temps partiel du conseil ou comité.

## Particuliers faisant partie d'un groupe : partie II.2 de la Loi

## 2. (1) Les définitions qui suivent s'appliquent au présent article.

## «emprunteur important» À l'égard d'un assureur à un moment donné :

## a) soit le particulier qui a obtenu, auprès de l'assureur ou d'une entité du même groupe, un prêt, autre qu'un prêt sur marge ou un prêt garanti par une hypothèque ou une charge sur sa résidence principale, dont le principal impayé au moment donné est supérieur au plus élevé des montants suivants :

- (i) 200 000 \$,
- (ii) 0,02 pour cent du capital de l'assureur déterminé conformément à l'une ou l'autre des dispositions suivantes :
  - (A) le paragraphe 2 (2) du Règlement de l'Ontario 122/08 (Activités de placement et de prêt — assureurs de dommages et sociétés fraternelles) pris en application de la Loi, si ce règlement s'applique à l'assureur,
  - (B) le paragraphe 2 (3) du Règlement de l'Ontario 121/08 (Activités de placement et de prêt — assureurs-vie) pris en application de la Loi, si ce règlement s'applique à l'assureur;

## b) soit un administrateur ou un dirigeant de l'assureur qui a obtenu auprès de ce dernier un prêt sur marge dont le principal impayé au moment donné est supérieur au plus élevé des montants indiqués aux sous-alinéas a) (i) et (ii);

## c) soit une entité autre que le particulier qui a obtenu, auprès de l'assureur ou d'une entité du même groupe, un prêt dont le principal impayé au moment donné est supérieur au plus élevé des montants suivants :

- (i) 500 000 \$,
- (ii) 0,05 pour cent du capital de l'assureur déterminé conformément au sous-alinéa a) (ii),
- (iii) 25 pour cent de la valeur de l'actif de l'entité. («significant borrower»)

«entité du même groupe» À l'égard d'un assureur, entité qui fait partie du groupe de cet assureur pour l'application de la partie XVII de la Loi. («affiliated entity»)

«intérêt de groupe financier» Placement qui serait un intérêt de groupe financier pour l'application de la partie XVII de la Loi. («substantial investment»)

«prêt» Vise notamment ce qui suit :

- a) les dettes liées aux effets de commerce ou aux acceptations;
- b) les retraits effectués sur une ligne de crédit conformément aux conditions de celle-ci. («loan»)

(2) Pour l'application de la partie II.2 de la Loi et du présent règlement, un particulier fait partie du groupe de l'assureur dans les circonstances suivantes :

- 1. Le particulier est un dirigeant ou un employé de l'assureur ou d'une entité du même groupe.



2. Le particulier a un intérêt substantiel, au sens du paragraphe 437.12 (3) de la Loi, dans une catégorie d'actions de l'assureur.
  3. Le particulier a un intérêt de groupe financier dans une entité du même groupe que l'assureur.
  4. Le particulier est un emprunteur important auprès de l'assureur.
  5. Le particulier :
    - i. soit est un dirigeant ou un employé d'une entité qui est un emprunteur important auprès de l'assureur,
    - ii. soit contrôle une entité qui est un emprunteur important auprès de l'assureur.
  6. Le particulier contrôle au moins deux entités qui ont obtenu des prêts auprès de l'assureur ou auprès de l'assureur et d'une ou de plusieurs entités du même groupe et ces prêts, si une seule de ces entités en était redevable, suffiraient à faire d'elle un emprunteur important auprès de l'assureur.
  7. Le particulier fournit des biens ou des services à l'assureur, est un associé ou un employé d'une société de personnes qui fournit des biens ou des services à l'assureur ou est un employé d'une personne morale qui fournit des biens ou des services à l'assureur ou une personne qui a un intérêt de groupe financier dans une telle personne morale et le montant annuel total facturé à l'assureur pour ces biens et services par le particulier, la société de personnes ou la personne morale, selon le cas, représente plus de 10 pour cent de l'ensemble pour l'année des montants facturés par lui.
  8. Un prêt consenti au particulier par l'assureur ou une entité du même groupe est en souffrance.
  9. Un prêt consenti, par l'assureur ou une entité du même groupe, à une entité que contrôle le particulier ou dont ce dernier est un administrateur, un dirigeant ou un employé est en souffrance.
  10. Le particulier est le conjoint d'un particulier visé à l'une ou l'autre des dispositions 1 à 9.
  11. Le particulier est un agent ou courtier d'assurances qui participe à la souscription, à la négociation, au renouvellement ou à la prolongation d'un contrat d'assurance avec l'assureur.
- (3) Pour l'application des dispositions 8 et 9 du paragraphe (2), un prêt n'est considéré comme étant en souffrance à un moment donné que si, à ce moment-là :
- a) soit un paiement de capital ou d'intérêts est venu à échéance et est impayé depuis au moins 90 jours;
  - b) soit le prêteur n'inscrit pas les intérêts accumulés sur le prêt dans ses livres comptables parce qu'il a des motifs raisonnables de douter que le solde impayé du principal ou des intérêts soit jamais recouvré auprès de l'emprunteur ou recouvré d'une autre manière;
  - c) soit le prêteur a réduit le taux d'intérêt sur le prêt parce qu'il a des motifs raisonnables de croire que la situation financière de l'emprunteur est précaire.

#### Comité de vérification

3. (1) Le comité de vérification de l'assureur se compose d'au moins trois membres que les administrateurs nomment parmi eux.
- (2) La majorité des membres du comité de vérification doivent être des administrateurs qui ne font pas partie du groupe de l'assureur.
- (3) Les administrateurs de l'assureur ne doivent pas nommer au comité de vérification un administrateur qui est un dirigeant ou un employé de l'assureur ou d'une de ses filiales.
- (4) Sous réserve des paragraphes (2) et (3), tous les administrateurs de l'assureur peuvent être membres du comité de vérification.
- (5) Le comité de vérification de l'assureur a les pouvoirs et fonctions suivants :
  1. Le comité de vérification examine les états et déclarations qui suivent et fait les recommandations qu'il estime souhaitables à leur égard aux administrateurs :
    - i. Les états financiers annuels de l'assureur, avant que les administrateurs ne les examinent aux fins d'approbation.
    - ii. La déclaration annuelle reflétant la situation des affaires de l'assureur visée à l'alinéa 102 (1) a) de la Loi, la déclaration provisoire visée à l'alinéa 102 (1) b) de la Loi et les autres déclarations de l'assureur que précise le surintendant, avant que les administrateurs ne les examinent aux fins d'approbation.
    - iii. Les autres états financiers ou déclarations de l'assureur que précise le surintendant.
  2. Le comité de vérification examine et évalue les procédures de contrôle financier interne de l'assureur et fait les recommandations qu'il estime souhaitables à leur égard aux administrateurs et il peut, avec l'approbation de ces derniers, donner aux membres du personnel de gestion de l'assureur les directives qu'il estime souhaitables concernant la mise en oeuvre et le maintien de ces procédures.



3. Le comité de vérification examine les placements et les opérations que le vérificateur ou un membre du personnel de gestion de l'assureur porte éventuellement à son attention et fait les recommandations qu'il estime souhaitables aux administrateurs s'il estime qu'un placement ou une opération pourrait nuire à la situation financière de l'assureur.
4. Afin d'exercer les fonctions prévues aux dispositions 1 à 3, le comité de vérification rencontre les personnes suivantes en vue d'obtenir les renseignements nécessaires :
  - i. le vérificateur de l'assureur, à l'égard des fonctions du comité prévues aux dispositions 1 et 3,
  - ii. l'actuaire de l'assureur nommé en application du paragraphe 121.24 (1) de la Loi si un actuaire doit être nommé, à l'égard des parties des états et déclarations visés à la disposition 1 qu'il a préparées ou qui ont été préparées à l'aide des renseignements qu'il a fournis,
  - iii. le vérificateur interne en chef de l'assureur ou l'employé de l'assureur qui exerce des fonctions semblables, à l'égard des procédures de contrôle financier interne,
  - iv. les membres du personnel de gestion de l'assureur, à l'égard des procédures de contrôle financier interne.
5. Le comité de vérification peut, lorsqu'il l'estime indiqué, convoquer une réunion du conseil d'administration de l'assureur afin d'examiner les questions qui l'intéressent.
- (6) Le vérificateur de l'assureur ou tout membre du comité de vérification peut convoquer une réunion du comité de vérification, après avoir donné le préavis suffisant que fixe le comité.
- (7) Le comité de vérification veille à ce qu'un procès-verbal exact de ses réunions soit tenu.
- (8) Le vérificateur de l'assureur a le droit de recevoir les avis de convocation des réunions du comité de vérification. Il a également le droit d'y assister et d'y être entendu aux frais de l'assureur.
- (9) Un membre du comité de vérification de l'assureur peut demander au vérificateur d'assister, aux frais de l'assureur, à toutes les réunions du comité ou à n'importe laquelle de celles-ci.
- (10) L'administrateur ou le dirigeant de l'assureur qui prend connaissance d'une erreur ou d'un renseignement inexact importants dans un état financier sur lequel le vérificateur actuel ou un ancien vérificateur de l'assureur a fait rapport en avise promptement le comité de vérification et le vérificateur actuel.

#### **Comité de révision**

4. (1) Le comité de révision de l'assureur se compose d'au moins trois membres que les administrateurs nomment parmi eux.
- (2) La majorité des membres du comité de révision doivent être des administrateurs qui ne font pas partie du groupe de l'assureur.
- (3) Les administrateurs de l'assureur ne doivent pas nommer au comité de révision un administrateur qui est un dirigeant ou un employé de l'assureur ou d'une de ses filiales.
- (4) Sous réserve des paragraphes (2) et (3), tous les administrateurs de l'assureur peuvent être membres du comité de révision.
- (5) Le comité de révision de l'assureur a les pouvoirs et fonctions suivants :
  1. Le comité de révision enjoint aux membres compétents du personnel de gestion de l'assureur d'élaborer des procédures et des normes que l'assureur doit mettre en oeuvre pour assurer le respect de la partie XVII.1 de la Loi.
  2. Avant la mise en oeuvre des procédures et des normes visées à la disposition 1, le comité de révision les examine et fait les recommandations et donne les directives qu'il estime souhaitables.
  3. Le comité de révision remet un rapport sur les procédures et normes qu'il a approuvées aux administrateurs de l'assureur et au surintendant et leur signale toute modification dès que possible après qu'elle a été apportée.
  4. Le comité de révision examine périodiquement les pratiques de l'assureur pour veiller à ce que ce dernier respecte les dispositions de la partie XVII.1 de la Loi et les procédures et normes qu'a approuvées le comité.
  5. Le comité de révision veille à ce que soient indiquées toutes les opérations qui :
    - i. d'une part, sont des opérations entre l'assureur et des personnes qui sont des apparentés pour l'application de la partie XVII.1 de la Loi,
    - ii. d'autre part, sont susceptibles de porter atteinte à la stabilité ou à la solvabilité de l'assureur.
- (6) Tout membre du comité de révision peut convoquer une réunion du comité, après avoir donné le préavis suffisant que fixe le comité.
- (7) Le comité de révision veille à ce qu'un procès-verbal exact de ses réunions soit tenu.

(8) Le vérificateur de l'assureur a le droit de recevoir les avis de convocation des réunions du comité de révision. Il a également le droit d'y assister et d'y être entendu aux frais de l'assureur.

(9) Après chacune de ses réunions, le comité de révision remet aux administrateurs de l'assureur un rapport sur les questions qu'il a examinées lors de la réunion et peut faire les recommandations qu'il estime souhaitables.

#### Exemption

5. L'assureur est exempté de l'obligation faite aux administrateurs, par le paragraphe 121.24 (1) de la Loi, de constituer un comité de vérification ou un comité de révision si les conditions suivantes sont remplies :

1. Une institution financière constituée en personne morale sous le régime d'une loi de la Législature est le propriétaire bénéficiaire de toutes les actions avec droit de vote de l'assureur, autres que les actions conférant l'admissibilité aux postes d'administrateurs, s'il y a lieu.
2. L'institution financière visée à la disposition 1 a un comité ou un autre organe interne qui, pour le compte et au nom de l'assureur, exerce des fonctions qui sont essentiellement semblables à celles que le comité de vérification ou le comité de révision, selon le cas, doit exercer.
3. Les titulaires de polices de l'assureur n'ont pas le droit de voter aux assemblées générales et annuelles de ce dernier.

#### Entrée en vigueur

6. Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (6) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08

## ONTARIO REGULATION 124/08

made under the

### INSURANCE ACT

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Amending O. Reg. 637/00

(Reciprocal Insurance Exchanges)

Note: Ontario Regulation 637/00 has not previously been amended.

#### 1. Ontario Regulation 637/00 is amended by adding the following section:

**0.1** (1) For the purposes of clause 380.1 (d) of the Act and subject to subsection (2), an agreement referred to in section 380.1 of the Act between subscribers to a reciprocal insurance exchange must contain the following requirements:

1. The advisory board of the exchange shall appoint an audit committee from among the members of the advisory board.
2. The advisory board of the exchange shall authorize and direct the audit committee,
  - i. to exercise the powers and perform the duties described in subsections 3 (5), (6), (7) and (9) of Ontario Regulation 123/08 (Corporate Governance — Part II.2 of the Act) made under the Act, and
  - ii. to notify the exchange's auditor of every meeting of the committee and invite the auditor, at the exchange's expense, to attend and be heard at the meeting.

(2) If an agreement between subscribers to a reciprocal insurance exchange was entered into before the day this section comes into force and provides for the appointment of such committees as the Superintendent may require, subsection (1) does not apply to the agreement on or before the effective date of the first amendment that is made to the agreement for any reason after the day this section comes into force.

#### 2. (1) Paragraphs 3 and 4 of section 1 of the Regulation are revoked and the following substituted:

3. A copy of the agreement between the subscribers that is referred to in section 380.1 of the Act.
- 3.1 A copy of the form of the contract or contracts of indemnity or insurance to be effected or exchanged.

4. A copy of the form of power of attorney under which reciprocal contracts of indemnity or insurance are executed on behalf of the exchange's members by a person other than a member.

**(2) Paragraph 8 of section 1 of the Regulation is revoked and the following substituted:**

8. Evidence satisfactory to the Superintendent that the management of the affairs of the exchange is subject to the supervision of an advisory board in accordance with the terms of the agreement referred to in section 380.1 of the Act.

**3. (1) Paragraph 6 of section 2 of the Regulation is revoked and the following substituted:**

6. The management of the affairs of the exchange must be subject to the supervision of the advisory board in accordance with the terms of the agreement referred to in section 380.1 of the Act.

**(2) Section 2 of the Regulation is amended by adding the following paragraph:**

7. The agreement between the subscribers complies with the requirements of section 380.1 of the Act and section 0.1 of this Regulation.

**4. Section 3 of the Regulation is revoked and the following substituted:**

3. (1) The minimum amount that must be maintained under subsection 386 (1) of the Act is the amount of cash or investments equal to 50 per cent of the net written premiums reported in the most recent statement delivered by the exchange under clause 102 (1) (a) of the Act.

**(2) In determining the amount of cash and investments referred to in subsection (1), only the following shall be included:**

1. If the exchange has its principal office in Ontario, the value of only investments that the exchange is authorized to make under section 387 of the Act shall be included.
2. If the exchange has its principal office in a province or territory of Canada other than Ontario, the value of only investments that the exchange is authorized to make under the laws of the jurisdiction in which the principal office is located shall be included.
3. If the exchange has its head office outside Canada, the value of only investments that the exchange is authorized to make under Part XIII of the *Insurance Companies Act* (Canada) shall be included.

**5. This Regulation comes into force on the later of the day subsection 6 (4) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.**

20/08

## ONTARIO REGULATION 125/08

made under the

### INSURANCE ACT

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### REVOKING VARIOUS REGULATIONS

Note: Regulation 671 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca). Ontario Regulation 777/94 has not previously been amended.

**1. Regulation 671 of the Revised Regulations of Ontario, 1990 is revoked.**

**2. Ontario Regulation 777/94 is revoked.**

**3. This Regulation comes into force on the later of the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.**

20/08



**ONTARIO REGULATION 126/08**

made under the

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Amending O. Reg. 259/04

(Minimum Capital Test)

Note: Ontario Regulation 259/04 has not previously been amended.

**1. Section 3 of Ontario Regulation 259/04 is revoked.**

**2. This Regulation comes into force on the later of the day subsection 6 (2) of the *Budget Measures Act, 2006 (No. 2)* comes into force and the day this Regulation is filed.**

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**ONTARIO REGULATION 127/08**

made under the

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**1. (1) This section applies for the purposes of clause (f) of the definition of “financial institution” in section 1 of the Act.**

**(2) Each of the following entities is prescribed as a financial institution:**

- 1. A league incorporated under the *Credit Unions and Caisses Populaires Act, 1994* or comparable legislation of another jurisdiction of Canada.**
- 2. A co-operative credit society for which an order has been made under subsection 473 (1) of the *Co-operative Credit Associations Act* (Canada).**
- 3. An entity that is,**
  - i. incorporated or organized under the laws of a jurisdiction outside Canada,**
  - ii. regulated by a jurisdiction outside Canada or by both a jurisdiction outside Canada and a jurisdiction in Canada, and**
  - iii. primarily engaged outside Canada in a business that, if it were carried on in Canada, would be the business of banking, the business of a cooperative credit society, the trust or insurance business or the business of dealing in securities.**

**(3) An entity that is a “foreign institution” for the purposes of the *Insurance Companies Act* (Canada) is a financial institution for the purposes of the Act other than Part XVII.**

**Commencement**

**2. This Regulation comes into force on the later of the day subsection 6 (1) of Schedule O to the *Budget Measures Act, 2006 (No. 2)* comes into force and the day this Regulation is filed.**

**RÈGLEMENT DE L'ONTARIO 127/08**

pris en application de la

**LOI SUR LES ASSURANCES**

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imprimé dans la *Gazette de l'Ontario* le 17 mai 2008**DÉFINITIONS****Institution financière**

1. (1) Le présent article s'applique dans le cadre de l'alinéa f) de la définition de «institution financière» à l'article 1 de la Loi.

(2) Chacune des entités suivantes est prescrite comme institution financière :

1. Toute fédération constituée en personne morale sous le régime de la *Loi de 1994 sur les caisses populaires et les credit unions* ou d'une loi comparable d'une autre autorité législative du Canada.
2. Toute coopérative de crédit ayant fait l'objet d'une ordonnance prévue au paragraphe 473 (1) de la *Loi sur les associations coopératives de crédit* (Canada).
3. Toute entité qui remplit les conditions suivantes :
  - i. elle est constituée en personne morale ou organisée sous le régime des lois d'une autorité législative de l'extérieur du Canada,
  - ii. elle est réglementée par une autorité législative de l'extérieur du Canada ou par une autorité législative de l'extérieur du Canada et une autorité législative du Canada,
  - iii. elle exerce principalement, à l'étranger, des activités qui, au Canada, seraient des opérations bancaires, l'activité d'une coopérative de crédit ou d'une société de fiducie, l'assurance ou le commerce de valeurs mobilières.

(3) L'entité qui est une «institution étrangère» pour l'application de la *Loi sur les sociétés d'assurances* (Canada) est une institution financière pour l'application de la Loi, à l'exclusion de la partie XVII.

**Entrée en vigueur**

2. Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (1) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

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Printed in *The Ontario Gazette*: May 17, 2008**INVESTMENT AND LENDING ACTIVITIES — FIRE MUTUALS GUARANTEE FUND****Old investment rules apply**

1. The assets of the Fire Mutuals Guarantee Fund shall be invested in the same manner and subject to the same limitations that apply to a joint stock insurance company, other than a company licensed to transact the business of life insurance, under the provisions of the Acts and the regulations that are the old investment rules for the purposes of section 431.1 of the Act.

**Commencement**

2. This Regulation comes into force on the day subsection 6 (3) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force.

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**ACTIVITÉS DE PLACEMENT ET DE PRÊT — FONDS MUTUEL D'ASSURANCE-INCENDIE****Application des anciennes règles de placement**

1. L'actif du Fonds mutuel d'assurance-incendie doit être placé selon les modalités et sous réserve des restrictions qui s'appliquent aux compagnies d'assurance à capital-actions — autres que des compagnies titulaires d'un permis les autorisant à faire souscrire des contrats d'assurance-vie — aux termes des dispositions des lois et des règlements qui constituent les anciennes règles de placement pour l'application de l'article 431.1 de la Loi.

**Entrée en vigueur**

2. Le présent règlement entre en vigueur le même jour que le paragraphe 6 (3) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

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**REINSURANCE****Definitions**

1. In this Regulation,

“gross premium income” means, in respect of an insurer for a year, the insurer's premium income for the year from its policies in Canada, calculated without reduction for reinsurance premiums paid or payable by the insurer; (“produit brut”)

“year” means, in respect of an insurer, the insurer's fiscal year. (“année”)

**Application**

2. (1) Except as otherwise provided in subsection (2), this Regulation applies to insurers incorporated or organized under the laws of Ontario that are licensed under the Act to undertake any class of insurance other than marine insurance and life insurance.

(2) This Regulation does not apply to,

(a) an insurer that is a member of the Fire Mutuals Guarantee Fund; or

(b) an insurer whose business is limited to reinsurance.



**Maximum level of risk subject to reinsurance**

3. (1) An insurer shall not in any year be reinsured against more than 75 per cent of the risks it undertakes in its policies in Canada, as calculated in accordance with this section.

(2) The percentage of the risks that an insurer undertakes in its policies in Canada against which it is reinsured in a year is calculated using the formula,

$$100 \times \frac{A}{B}$$

in which,

“A” is, subject to section 5, the sum of all premiums, other than risk sharing premiums, paid or payable by the insurer in the year for reinsurance of the risks undertaken in its policies in Canada, determined without any reduction in respect of commissions, expense allowances and other considerations received or receivable by the insurer, and

“B” is the gross premium income of the insurer for the year less any amount required to be deducted under section 5.

(3) In this section,

“risk sharing premiums” means premiums paid or payable by an insurer by reason of its participation in a risk sharing pool referred to in subsection 7 (6) of the *Compulsory Automobile Insurance Act* operated by the Facility Association.

**Reinsurance by unlicensed insurers**

4. (1) An insurer shall not in any year be reinsured against more than 25 per cent of the risks it undertakes in its policies in Canada by an insurance company that is not licensed under the laws of Canada or a province of Canada.

(2) The percentage of the risks that an insurer undertakes in its policies in Canada against which it is reinsured in a year by an insurance company that is not licensed under the laws of Canada or a province of Canada is calculated using the formula,

$$100 \times \frac{C}{B}$$

in which,

“C” is, subject to section 5, the sum of all premiums paid or payable by the insurer in the year for reinsurance of the risks undertaken in its policies in Canada by unlicensed insurers, determined without any reduction in respect of commissions, expense allowances and other considerations received or receivable by the insurer, and

“B” has the same meaning as in subsection 3 (2).

**Reinsurance not in the ordinary course of business**

5. If the agreement under which an insurer, in any year, reinsures risks undertaken by it is not made in the ordinary course of business, the premiums referred to in the definitions of “A” in subsection 3 (2) and “C” in subsection 4 (2) and the gross premium income of the insurer for the year for the purposes of subsections 3 (2) and 4 (2) shall be reduced by the amount of premiums paid or payable by the insurer in the year under the agreement.

**Commencement**

6. This Regulation comes into force on the later of the day subsection 6 (2) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.

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**RÉASSURANCE****Définitions**

1. Les définitions qui suivent s'appliquent au présent règlement.

«année» Relativement à l'assureur, s'entend de son exercice. («year»)

«produit brut» Relativement à l'assureur pour une année, s'entend, en matière de primes, du revenu procuré à l'assureur pour l'année par ses polices au Canada, calculé sans réduction à l'égard des primes de réassurance payées ou payables par lui. («gross premium income»)

#### Champ d'application

2. (1) Sauf disposition contraire du paragraphe (2), le présent règlement s'applique aux assureurs qui sont constitués en personne morale ou organisés sous le régime des lois de l'Ontario et qui sont titulaires d'un permis en vertu de la Loi les autorisant à faire souscrire toute catégorie d'assurance, à l'exception de l'assurance maritime et de l'assurance-vie.

(2) Le présent règlement ne s'applique pas aux assureurs suivants :

- a) l'assureur qui participe au Fonds mutuel d'assurance-incendie;
- b) l'assureur dont l'activité se limite à la réassurance.

#### Niveau de risque maximal réassurable

3. (1) L'assureur ne peut, dans une année, être réassuré contre plus de 75 pour cent des risques qu'il garantit dans ses polices au Canada, ainsi que ce pourcentage est calculé conformément au présent article.

(2) Le pourcentage des risques que l'assureur garantit dans ses polices au Canada et contre lesquels il est réassuré dans une année est calculé selon la formule suivante :

$$100 \times \frac{A}{B}$$

où :

«A» représente, sous réserve de l'article 5, le total des primes, autres que les primes liées au partage des risques, payées ou payables par l'assureur au cours de l'année à l'égard de la réassurance des risques garantis dans ses polices au Canada, calculé sans aucune réduction au titre des commissions, allocations de frais et autres contreparties reçues ou à recevoir par lui,

«B» représente le produit brut de l'assureur pour l'année moins tout montant devant être déduit aux termes de l'article 5.

(3) La définition qui suit s'applique au présent article.

«primes liées au partage des risques» Les primes payées ou payables par l'assureur du fait de sa participation à un pool de partage des risques visé au paragraphe 7 (6) de la *Loi sur l'assurance-automobile obligatoire* dont le fonctionnement est assuré par l'Association des assureurs.

#### Réassurance par des assureurs non titulaires d'un permis

4. (1) L'assureur ne peut, dans une année, être réassuré contre plus de 25 pour cent des risques qu'il garantit dans ses polices au Canada par une compagnie d'assurance qui n'est pas titulaire d'un permis délivré sous le régime des lois du Canada ou d'une de ses provinces.

(2) Le pourcentage des risques que l'assureur garantit dans ses polices au Canada et contre lesquels il est réassuré dans une année par une compagnie d'assurance qui n'est pas titulaire d'un permis délivré sous le régime des lois du Canada ou d'une de ses provinces est calculé selon la formule suivante :

$$100 \times \frac{C}{B}$$

où :

«C» représente, sous réserve de l'article 5, le total des primes payées ou payables par l'assureur au cours de l'année à l'égard de la réassurance des risques garantis dans ses polices au Canada par des assureurs non titulaires d'un permis, calculé sans aucune réduction au titre des commissions, allocations de frais et autres contreparties reçues ou à recevoir par lui,

«B» s'entend au sens du paragraphe 3 (2).

#### Réassurance qui n'est pas une activité normale

5. Si le contrat aux termes duquel l'assureur réassure, dans une année, les risques qu'il garantit n'est pas conclu dans le cadre de ses activités normales, les primes visées dans les définitions des éléments «A» au paragraphe 3 (2) et «C» au paragraphe 4 (2) et le produit brut de l'assureur pour l'année pour l'application de ces paragraphes sont réduits du montant des primes payées ou payables par lui au cours de l'année aux termes du contrat.

**Entrée en vigueur**

6. Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (2) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08

**ONTARIO REGULATION 130/08**

made under the

**INSURANCE ACT**

Made: April 30, 2008

Filed: May 2, 2008

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Printed in *The Ontario Gazette*: May 17, 2008**RELATED PARTIES — PART XVII.1 OF THE ACT****Exemption: prescribed holding company**

1. For the purposes of clause 437.13 (2) (c) of the Act, a credit union, caisse populaire, credit union league or credit union federation that is a holding company of an insurer is prescribed not to be a related party in respect of the insurer if it is incorporated under the *Credit Unions and Caisses Populaires Act, 1994* or a predecessor of that Act.

**Criteria for approval of transaction not subject to Part XVII.1 of the Act**

2. For the purposes of subsection 437.15 (3) of the Act, the Superintendent shall consider the following criteria in determining whether to give an approval required under subparagraph 2 v of subsection 437.15 (2) of the Act with respect to the issue of shares by an insurer in exchange for shares of another corporation:

1. The reason for the share exchange.
2. The number, value and attributes of the shares to be issued by the insurer on the share exchange.
3. The number, value and attributes of the shares to be acquired by the insurer on the share exchange.
4. Whether it is reasonable to believe that the share exchange would expose the insurer to an undue degree of risk.
5. Whether it is reasonable to believe that the share exchange would hinder the supervision and regulation of the insurer.

**Exception to indirect transaction rules**

3. (1) For the purposes of paragraph 2 of subsection 437.17 (2) of the Act, an insurer is not deemed for the purposes of Part XVII.1 of the Act to have indirectly entered into a transaction entered into by a subsidiary of the insurer in any of the following circumstances:

1. The subsidiary is,
  - i. a foreign company entitled to insure a risk in Canada under Part XIII of the *Insurance Companies Act* (Canada),
  - ii. an authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada),
  - iii. a provincial company within the meaning of clause 1 (aaa) of the *Insurance Act* (Alberta), or
  - iv. a financial institution within the meaning of subsection 1 (1) of the *Financial Institutions Act* (British Columbia) that is authorized under that Act to carry on business.
2. The terms and conditions of the transaction are at least as favourable to the insurer as market terms and conditions and the subsidiary's business is restricted to providing services,
  - i. to the insurer, a subsidiary of the insurer or an entity in which the insurer has a substantial investment that is permitted under the Act and the regulations, or
  - ii. to one or more of the entities listed in subparagraph i and one or more of the following:
    - A. a financial services entity,
    - B. an entity that is a permitted entity of the insurer and in which a financial services entity has a substantial investment.



(2) Subsection 437.18 (5) of the Act applies with necessary modifications in determining for the purposes of paragraph 2 of subsection (1) if the terms and conditions of a transaction between a subsidiary and another person are at least as favourable to the insurer as market terms and conditions.

(3) In this section,

“financial services entity” means an entity that is a financial services entity under subsection 2 (1) of Ontario Regulation 121/08 (Investment and Lending Activities — Life Insurers) made under the Act or under subsection 2 (1) of Ontario Regulation 122/08 (Investment and Lending Activities — Property and Casualty Insurers and Fraternal Societies) made under the Act.

#### PERMITTED TRANSACTIONS WITH RELATED PARTIES

##### When value of a transaction is considered nominal or immaterial

4. (1) For the purposes of paragraph 1 of subsection 437.18 (1) of the Act, the value of a transaction between an insurer and a related party is considered to be nominal or immaterial to the insurer in each of the following circumstances:

1. The transaction is a loan from the insurer to the related party and the amount of the loan plus the outstanding balance of all other loans made to the same related party is less than 0.1 per cent of the insurer's capital for the fiscal year immediately preceding the fiscal year in which the transaction occurs.
2. If the transaction is not a loan to the related party, the sum of the following amounts is less than 0.1 per cent of the insurer's capital for the fiscal year immediately preceding the fiscal year in which the transaction occurs:
  - i. the value of the transaction, and
  - ii. the value of all other transactions with the same related party, other than loans that are considered nominal or immaterial in value for the purposes of paragraph 1 of subsection 437.18 (1) of the Act, that occur in the same fiscal year of the insurer as the transaction.

(2) For the purposes of subsection (1), an insurer's capital for a fiscal year is the amount by which its total assets exceed its total liabilities as reported on its balance sheet for the year prepared in accordance with section 104 of the Act.

##### Rules for loans and guarantees

5. For the purposes of subparagraph 4 ii of subsection 437.18 (1) of the Act, the loan or guarantee must be fully secured by securities issued or guaranteed by the Government of Canada or the government of a province of Canada.

##### Additional permitted transactions with related parties

6. For the purposes of paragraph 16 of subsection 437.18 (1) of the Act, each of the following transactions between an insurer and a related party is permitted, subject to subsection 437.18 (4) of the Act:

1. The acceptance or retention by the insurer, on the direction of the related party who is a policy holder or beneficiary under a policy, of amounts that are payable as policy dividends, policy bonuses or policy proceeds on the surrender or maturity of a policy or on the death of the person whose life is insured, if the liability of the insurer in respect of those amounts varies in amount depending on the market value of a group of assets constituting a separate and distinct fund under section 109 of the Act.
2. The acquisition by the insurer from the related party of,
  - i. securities issued or guaranteed by the Government of Canada or a province of Canada, or
  - ii. assets fully secured by securities issued or guaranteed by the Government of Canada or a province of Canada.
3. The leasing by the insurer from the related party of property to be used in the ordinary course of the insurer's business, if the lease payments are made in money.
4. The leasing of property by the insurer to the related party, if the lease payments are made in money.
5. The allocation of an amount by or to the insurer made pursuant to subsection 18 (2.3), 125 (3), 127 (10.3), 181.5 (2), 190.15 (2), 190.16 (2) or 191.1 (3) of the *Income Tax Act* (Canada).
6. An allocation of an amount by or to the insurer made pursuant to subsection 74.1 (10) of the *Corporations Tax Act*.
7. An agreement or amended agreement described in subsection 191.3 (1) of the *Income Tax Act* (Canada) under which,
  - i. the insurer agrees to pay all or a portion of the tax of the related party, and
  - ii. the related party agrees to pay the insurer an amount equal to or greater than the additional costs incurred by the insurer, including additional taxes payable under the *Income Tax Act* (Canada), as a result of the insurer entering into the agreement or amended agreement.
8. An agreement or amended agreement described in subsection 191.3 (1) of the *Income Tax Act* (Canada) under which the related party agrees to pay all or a portion of the insurer's tax.

9. The issue by or to the insurer of conversion privileges, options or rights to acquire securities, the issuance of which is not otherwise provided for in the terms and conditions pursuant to which a security is or has been issued.
10. The purchase, for the purpose of cancellation, of any shares or debt obligations issued by or to the insurer, the purchase of which is not otherwise provided for in the terms and conditions pursuant to which the shares or debt obligations were issued.
11. The redemption of any redeemable shares or any debt obligations issued by or to the insurer, the redemption of which is not otherwise provided for in the terms and conditions pursuant to which the shares or debt obligations were issued.
12. The payment or delivery of money or property by or to the insurer as a consequence of a reduction in the stated capital of the insurer or the related party.

**Criteria for Superintendent's approval under s. 437.18 of the Act**

7. (1) For the purposes of subsection 437.18 (2) of the Act, the Superintendent shall consider the following criteria in determining whether to give an approval required under subparagraph 2 ii of subsection 437.18 (1) of the Act:

1. The type of reinsurance and the amount of consideration received for the reinsurance.
2. Whether it is reasonable to believe that the transaction or series of transactions would expose the insurer to an undue degree of risk.
3. Whether it is reasonable to believe the transaction or series of transactions would hinder the supervision and regulation of the insurer.
4. Whether the transaction or series of transactions is otherwise in compliance with prudent reinsurance standards.

(2) For the purposes of subsection 437.18 (2) of the Act, the Superintendent shall consider the following criteria in determining whether to give an approval required under paragraph 9 or 11 of subsection 437.18 (1) of the Act:

1. The nature of the transaction or series of transactions, including the reasons for the transaction or series of transactions, the type of assets involved and their value and the value of any other consideration paid or received by each party.
2. The criteria set out in paragraphs 2 and 3 of subsection (1)

**Qualifying loans to officers**

8. For the purposes of subsection 437.19 (2) of the Act, the prescribed amount is the greater of,
- (a) twice the annual salary of the senior officer to whom the qualifying loan is made; and
  - (b) \$100,000.

**Limit on transactions with directors, senior officers, etc.**

9. (1) For the purposes of subsection 437.19 (6) of the Act, an insurer shall not enter into a transaction prescribed by subsection (2) with a related party described in clause 437.19 (1) (a) or (b) of the Act if, immediately after the transaction, the amount, if any, calculated using the following formula would exceed 50 per cent of the insurer's capital, as described in subsection (3):

$$(A + B + C) - D$$

in which,

- "A" is the principal amount of all outstanding loans to related parties of the insurer described in subsection 437.19 (1) of the Act that are held by the insurer or a subsidiary of the insurer, other than loans that satisfy the requirements of subparagraph 4 i of subsection 437.18 (1) of the Act or subsection 437.19 (2) of the Act,
- "B" is the sum of all amounts each of which is an amount guaranteed by the insurer or a subsidiary of the insurer on behalf of a related party of the insurer described in subsection 437.19 (1) of the Act, not exceeding the amount of the liability then outstanding to which the guarantee relates,
- "C" is the book value of all investments in securities of related parties described in clause 437.19 (1) (b) of the Act, each of which is held by the insurer or a subsidiary of the insurer, and
- "D" is the sum of all loans, investments and guarantees made or given by the insurer or a subsidiary of the insurer in transactions with related parties described in subsection 437.19 (1) of the Act in which the value of the transactions was nominal or immaterial to the insurer for the purposes of paragraph 1 of subsection 437.18 (1) of the Act.

(2) Each of the following transactions with the related party, other than a transaction that satisfies the requirements of paragraph 1 of subsection 437.18 (1) of the Act, is prescribed for the purposes of subsection (1):

1. A loan to the related party, an acceptance of an assignment of a loan to the related party or the acquisition in any other manner of a loan made to the related party.



2. The guarantee of a debt owed by the related party.
3. An investment in securities issued by the related party, in the case of a related party described in clause 437.19 (1) (b) of the Act.
- (3) For the purposes of subsection (1), an insurer's capital is determined as follows:
  1. If the insurer carries on the business of a life insurer and is not a fraternal society, its capital is the amount determined under subsection 2 (3) of Ontario Regulation 121/08 (Investment and Lending Activities — Life Insurers) made under the Act.
  2. If the insurer carries on the business of a property or casualty insurer or is a fraternal society, its capital is the amount determined under subsection 2 (2) of Ontario Regulation 122/08 (Investment and Lending Activities — Property and Casualty Insurers and Fraternal Societies) made under the Act.

#### Transactions requiring directors' approval

10. (1) For the purposes of clause 437.19 (7) (a) of the Act, a transaction described in paragraph 1, 2 or 3 of subsection 9 (2) of this Regulation with a related party of an insurer described in clause 437.19 (1) (a) or (b) of the Act, other than a transaction that satisfies the requirements of paragraph 1 of subsection 437.18 (1) of the Act, requires the approval of the insurer's directors if, immediately following the transaction, the amount determined under subsection (2) would exceed 2 per cent of the capital of the insurer as determined under subsection 9 (3) of this Regulation.

(2) For the purposes of subsection (1), the amount, if any, is calculated using the formula,

$$(E + F + G) - H$$

in which,

"E" is the principal amount of all outstanding loans to the related party that are held by the insurer or a subsidiary of the insurer, other than loans that satisfy the requirements of subparagraph 4 i of subsection 437.18 (1) of the Act or subsection 437.19 (2) of the Act,

"F" is the sum of all amounts each of which is an amount guaranteed by the insurer or a subsidiary of the insurer on behalf of the related party, not exceeding the amount of the liability then outstanding to which the guarantee relates,

"G" is the book value of all investments in securities of the related party, each of which is held by the insurer or a subsidiary of the insurer, and

"H" is the sum of all loans, investments and guarantees made or given by the insurer or a subsidiary of the insurer in transactions with the related party in which the value of the transactions was nominal or immaterial to the insurer for the purposes of paragraph 1 of subsection 437.18 (1) of the Act.

(3) For the purposes of this section and subsection 437.19 (7) of the Act, the approval of the directors of an insurer means a resolution of the board of directors of the insurer passed by not less than a two-thirds majority of the directors present and entitled to vote at the meeting of the board at which the matter is put to a vote.

#### Commencement

11. This Regulation comes into force on the later of the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force and the day this Regulation is filed.

## RÈGLEMENT DE L'ONTARIO 130/08

pris en application de la

## LOI SUR LES ASSURANCES

pris le 30 avril 2008

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## APPARENTÉS — PARTIE XVII.1 DE LA LOI

#### Exemption : société mère prescrite

1. Pour l'application de l'alinéa 437.13 (2) c) de la Loi, une caisse populaire, une credit union ou une fédération ou ligue de caisses populaires qui est la société mère d'un assureur est prescrite comme n'étant pas apparentée à l'assureur si elle est constituée sous le régime de la *Loi de 1994 sur les caisses populaires et les credit unions* ou d'une loi qu'elle remplace.



**Critères d'approbation des opérations non assujetties à la partie XVII.1 de la Loi**

2. Pour l'application du paragraphe 437.15 (3) de la Loi, le surintendant tient compte des critères suivants pour décider de donner ou non l'approbation prévue à la sous-disposition 2 v du paragraphe 437.15 (2) de la Loi à l'égard de l'émission d'actions par l'assureur en échange d'actions d'une autre personne morale :

1. La raison de l'échange.
2. Le nombre, la valeur et les attributs des actions que l'assureur compte émettre dans le cadre de l'échange.
3. Le nombre, la valeur et les attributs des actions que l'assureur compte acquérir dans le cadre de l'échange.
4. La question de savoir s'il est raisonnable de croire que l'échange exposerait l'assureur à un degré indu de risque.
5. La question de savoir s'il est raisonnable de croire que l'échange générerait la supervision et la réglementation de l'assureur.

**Exception aux règles relatives aux opérations indirectes**

3. (1) Pour l'application de la disposition 2 du paragraphe 437.17 (2) de la Loi, l'assureur n'est pas réputé, pour l'application de la partie XVII.1 de la Loi, avoir indirectement effectué une opération effectuée par une de ses filiales dans l'une ou l'autre des circonstances suivantes :

1. La filiale est, selon le cas :
  - i. une société étrangère qui a le droit de garantir des risques au Canada aux termes de la partie XIII de la *Loi sur les sociétés d'assurances* (Canada),
  - ii. une banque étrangère autorisée au sens de l'article 2 de la *Loi sur les banques* (Canada),
  - iii. une société provinciale au sens que l'alinéa 1 aaa) de la loi intitulée *Insurance Act* (Alberta) donne au terme «provincial company»,
  - iv. une institution financière, au sens que le paragraphe 1 (1) de la loi intitulée *Financial Institutions Act* (Colombie-Britannique) donne au terme «financial institution», qui est autorisée aux termes de cette loi à exercer des activités.
2. Les conditions de l'opération sont au moins aussi favorables pour l'assureur que celles du marché et les activités de la filiale consistent uniquement à fournir des services :
  - i. soit à l'assureur, à une filiale de l'assureur ou à une entité dans laquelle l'assureur a un intérêt de groupe financier permis par la Loi et les règlements,
  - ii. soit à une ou plusieurs des entités visées à la sous-disposition i et à une ou plusieurs des entités suivantes :
    - A. une entité s'occupant de services financiers,
    - B. une entité qui est une entité admissible de l'assureur et dans laquelle une entité s'occupant de services financiers a un intérêt de groupe financier.

(2) Le paragraphe 437.18 (5) de la Loi s'applique, avec les adaptations nécessaires, pour déterminer, pour l'application de la disposition 2 du paragraphe (1), si les conditions d'une opération entre une filiale et une autre personne sont au moins aussi favorables pour l'assureur que celles du marché.

(3) La définition qui suit s'applique au présent article.

«entité s'occupant de services financiers» S'entend au sens du paragraphe 2 (1) du Règlement de l'Ontario 121/08 (Activités de placement et de prêt — assureurs-vie) pris en application de la Loi ou au sens du paragraphe 2 (1) du Règlement de l'Ontario 122/08 (Activités de placement et de prêt — assureurs de dommages et sociétés fraternelles) pris en application de la Loi.

**OPÉRATIONS PERMISES AVEC DES APPARENTÉS****Opérations d'une valeur symbolique ou peu importante**

4. (1) Pour l'application de la disposition 1 du paragraphe 437.18 (1) de la Loi, la valeur d'une opération entre l'assureur et un apparenté est considérée comme étant symbolique ou peu importante pour l'assureur dans chacune des circonstances suivantes :

1. L'opération consiste en un prêt consenti par l'assureur à l'apparenté et le montant du prêt, majoré du solde impayé de tous les autres prêts consentis à cet apparenté, représente moins de 0,1 pour cent du capital de l'assureur pour l'exercice précédant celui pendant lequel l'opération a lieu.
2. Si l'opération ne consiste pas en un prêt consenti à l'apparenté, le total des montants suivants représente moins de 0,1 pour cent du capital de l'assureur pour l'exercice précédant celui pendant lequel l'opération a lieu :

- i. la valeur de l'opération,
- ii. la valeur de toutes les autres opérations avec cet apparenté, autres que des prêts qui sont considérés comme ayant une valeur symbolique ou peu importante pour l'application de la disposition 1 du paragraphe 437.18 (1) de la Loi, qui ont lieu pendant l'exercice de l'assureur au cours duquel l'opération a lieu.

(2) Pour l'application du paragraphe (1), le capital de l'assureur pour un exercice correspond à l'excédent de son actif total sur son passif total figurant dans son bilan de l'exercice établi conformément à l'article 104 de la Loi.

#### Règles relatives aux prêts et aux garanties

5. Pour l'application de la sous-disposition 4 ii du paragraphe 437.18 (1) de la Loi, le prêt ou la garantie doit être pleinement garanti par des titres émis ou eux-mêmes garantis par le gouvernement du Canada ou d'une province du Canada.

#### Autres opérations permises avec des apparentés

6. Pour l'application de la disposition 16 du paragraphe 437.18 (1) de la Loi, chacune des opérations suivantes entre un assureur et un apparenté est permise, sous réserve du paragraphe 437.18 (4) de la Loi :

1. L'assureur accepte ou retient, sur instruction de l'apparenté qui est titulaire ou bénéficiaire d'une police, des sommes qui sont payables à titre de participation ou de boni relatifs à une police ou de sommes dues en vertu d'une police lors du rachat ou de l'échéance de la police ou au décès de la personne sur la tête de qui repose l'assurance, si le montant de l'obligation de l'assureur à cet égard varie selon la valeur marchande d'un groupe d'éléments d'actif qui constitue une caisse séparée et distincte aux termes de l'article 109 de la Loi.
2. L'assureur acquiert de l'apparenté :
  - i. soit des titres émis ou garantis par le gouvernement du Canada ou d'une province du Canada,
  - ii. soit des éléments d'actif pleinement garantis par des titres émis ou eux-mêmes garantis par le gouvernement du Canada ou d'une province du Canada.
3. L'assureur prend à bail de l'apparenté un bien qu'il utilisera dans le cours normal de son activité commerciale, dans les cas où le prix de la location est payé en argent.
4. L'assureur donne à bail un bien à l'apparenté, dans les cas où le prix de la location est payé en argent.
5. Un montant est attribué par l'assureur ou à celui-ci en vertu du paragraphe 18 (2.3), 125 (3), 127 (10.3), 181.5 (2), 190.15 (2), 190.16 (2) ou 191.1 (3) de la *Loi de l'impôt sur le revenu* (Canada).
6. Un montant est attribué par l'assureur ou à celui-ci en vertu du paragraphe 74.1 (10) de la *Loi sur l'imposition des sociétés*.
7. Est conclue la convention ou la convention modifiée visée au paragraphe 191.3 (1) de la *Loi de l'impôt sur le revenu* (Canada) par laquelle :
  - i. d'une part, l'assureur s'engage à payer tout ou partie de l'impôt de l'apparenté,
  - ii. d'autre part, l'apparenté convient de payer à l'assureur un montant égal ou supérieur aux coûts additionnels supportés par lui, y compris l'impôt supplémentaire payable aux termes de la *Loi de l'impôt sur le revenu* (Canada), à cause de cette convention.
8. L'apparenté s'engage à payer tout ou partie de l'impôt de l'assureur aux termes de la convention ou de la convention modifiée visée au paragraphe 191.3 (1) de la *Loi de l'impôt sur le revenu* (Canada).
9. Des privilèges de conversion ainsi que des options ou droits d'acquiescer des titres sont octroyés par l'assureur ou à celui-ci, lorsqu'il n'existe pas d'autre disposition à cet égard dans les conditions régissant l'émission des titres.
10. Une action ou un titre de créance émis par l'assureur ou à celui-ci est acheté pour être annulé, lorsqu'il n'existe pas d'autre disposition à cet égard dans les conditions régissant l'émission de l'action ou du titre de créance.
11. Une action rachetable ou un titre de créance émis par l'assureur ou à celui-ci est racheté, lorsqu'il n'existe pas d'autre disposition à cet égard dans les conditions régissant l'émission de l'action ou du titre de créance.
12. L'assureur verse ou reçoit une somme ou cède ou reçoit un bien par suite de la réduction du capital déclaré de l'assureur ou de l'apparenté.

#### Critères d'approbation du surintendant visés à l'art. 437.18 de la Loi

7. (1) Pour l'application du paragraphe 437.18 (2) de la Loi, le surintendant tient compte des critères suivants pour décider de donner ou non l'approbation prévue à la sous-disposition 2 ii du paragraphe 437.18 (1) de la Loi :

1. Le type de réassurance et le montant de la contrepartie reçue à son égard.
2. La question de savoir s'il est raisonnable de croire que l'opération ou la série d'opérations exposerait l'assureur à un degré indu de risque.



3. La question de savoir s'il est raisonnable de croire que l'opération ou la série d'opérations générerait la supervision et la réglementation de l'assureur.
4. La question de savoir si l'opération ou la série d'opérations respecte par ailleurs les normes de prudence en matière de réassurance.

(2) Pour l'application du paragraphe 437.18 (2) de la Loi, le surintendant tient compte des critères suivants pour décider de donner ou non l'approbation prévue à la sous-disposition 9 ou 11 du paragraphe 437.18 (1) de la Loi :

1. La nature de l'opération ou de la série d'opérations, y compris leur motif, le type d'éléments d'actif en cause et leur valeur ainsi que la valeur de toute autre contrepartie versée ou reçue par chaque partie.
2. Les critères énoncés aux dispositions 2 et 3 du paragraphe (1).

#### Prêts admissibles consentis à des dirigeants

8. Pour l'application du paragraphe 437.19 (2) de la Loi, le montant prescrit est le plus élevé des montants suivants :

- a) le double du salaire annuel du cadre dirigeant auquel le prêt admissible est consenti;
- b) 100 000 \$.

#### Restriction applicable aux opérations avec des administrateurs, des cadres dirigeants et d'autres parties

9. (1) Pour l'application du paragraphe 437.19 (6) de la Loi, l'assureur ne doit pas effectuer une opération prescrite par le paragraphe (2) avec un apparenté visé à l'alinéa 437.19 (1) a) ou b) de la Loi si, immédiatement après l'opération, le montant éventuel calculé selon la formule suivante excédera 50 pour cent de son capital, déterminé conformément au paragraphe (3) :

$$(A + B + C) - D$$

où :

- «A» représente le principal des prêts impayés que l'assureur ou une de ses filiales a déjà consentis aux apparentés de l'assureur visés au paragraphe 437.19 (1) de la Loi, autres que des prêts qui remplissent les exigences de la sous-disposition 4 i du paragraphe 437.18 (1) de la Loi ou celles du paragraphe 437.19 (2) de la Loi;
- «B» représente le total des montants dont chacun correspond au montant que garantit l'assureur ou une de ses filiales pour le compte d'un apparenté de l'assureur visé au paragraphe 437.19 (1) de la Loi, jusqu'à concurrence du montant de la dette impayée à laquelle se rapporte la garantie;
- «C» représente la valeur comptable des placements dans des titres des apparentés visés à l'alinéa 437.19 (1) b) de la Loi dont chacun est détenu par l'assureur ou une de ses filiales;
- «D» représente le total des prêts consentis, des placements effectués et des garanties données par l'assureur ou une de ses filiales dans le cadre d'opérations avec des apparentés visés au paragraphe 437.19 (1) de la Loi dont la valeur était symbolique ou peu importante pour l'assureur pour l'application de la disposition 1 du paragraphe 437.18 (1) de la Loi.

(2) Chacune des opérations suivantes avec l'apparenté, autre qu'une opération qui remplit les exigences de la disposition 1 du paragraphe 437.18 (1) de la Loi, est prescrite pour l'application du paragraphe (1) :

1. Un prêt consenti à l'apparenté, l'acceptation de la cession d'un tel prêt ou l'acquisition d'un tel prêt de toute autre manière.
2. La garantie d'une dette de l'apparenté.
3. Un placement dans des titres émis par l'apparenté, dans le cas d'un apparenté visé à l'alinéa 437.19 (1) b) de la Loi.

(3) Pour l'application du paragraphe (1), le capital de l'assureur est déterminé comme suit :

1. Si l'assureur exerce les activités d'un assureur-vie et qu'il n'est pas une société fraternelle, son capital est le montant déterminé conformément au paragraphe 2 (3) du Règlement de l'Ontario 121/08 (Activités de placement et de prêt — assureurs-vie) pris en application de la Loi.
2. Si l'assureur exerce les activités d'un assureur de dommages ou qu'il est une société fraternelle, son capital est le montant déterminé conformément au paragraphe 2 (2) du Règlement de l'Ontario 122/08 (Activités de placement et de prêt — assureurs de dommages et sociétés fraternelles) pris en application de la Loi.

#### Opérations nécessitant l'approbation des administrateurs

10. (1) Pour l'application de l'alinéa 437.19 (7) a) de la Loi, une opération visée à la disposition 1, 2 ou 3 du paragraphe 9 (2) du présent règlement avec un apparenté de l'assureur visé à l'alinéa 437.19 (1) a) ou b) de la Loi, autre qu'une opération qui remplit les exigences de la disposition 1 du paragraphe 437.18 (1) de la Loi, doit être approuvée par les administrateurs de l'assureur si, immédiatement après l'opération, le montant déterminé conformément au paragraphe (2) excédera 2 pour cent du capital de l'assureur, déterminé conformément au paragraphe 9 (3) du présent règlement.



(2) Pour l'application du paragraphe (1), le montant éventuel est calculé selon la formule suivante :

$$(E + F + G) - H$$

où :

- «E» représente le principal des prêts impayés que l'assureur ou une de ses filiales a déjà consentis à l'apparenté, autres que des prêts qui remplissent les exigences de la sous-disposition 4 i du paragraphe 437.18 (1) de la Loi ou celles du paragraphe 437.19 (2) de la Loi;
- «F» représente le total des montants dont chacun correspond au montant que garantit l'assureur ou une de ses filiales pour le compte de l'apparenté, jusqu'à concurrence du montant de la dette impayée à laquelle se rapporte la garantie;
- «G» représente la valeur comptable des placements dans des titres de l'apparenté dont chacun est détenu par l'assureur ou une de ses filiales;
- «H» représente le total des prêts consentis, des placements effectués et des garanties données par l'assureur ou une de ses filiales dans le cadre d'opérations avec l'apparenté dont la valeur était symbolique ou peu importante pour l'assureur pour l'application de la disposition 1 du paragraphe 437.18 (1) de la Loi.

(3) Pour l'application du présent article et du paragraphe 437.19 (7) de la Loi, l'approbation des administrateurs de l'assureur s'entend d'une résolution du conseil d'administration adoptée à la majorité des deux tiers au moins des administrateurs avec voix délibérative qui sont présents à la réunion du conseil à laquelle la question est soumise à un vote.

#### Entrée en vigueur

11. Le présent règlement entre en vigueur le jour de son dépôt ou, s'il lui est postérieur, le jour de l'entrée en vigueur du paragraphe 6 (6) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08

## ONTARIO REGULATION 131/08

made under the

### INSURANCE ACT

Made: April 30, 2008

Filed: May 2, 2008

Published on e-Laws: May 5, 2008

Printed in *The Ontario Gazette*: May 17, 2008

## EXEMPTION FROM NEW INVESTMENT RULES

#### Definitions

1. In this Regulation,

“new investment rules” has the meaning assigned by subsection 431.1 (1) of the Act; (“nouvelles règles de placement”)

“old investment rules” has the meaning assigned by subsection 431.1 (1) of the Act. (“anciennes règles de placement”)

#### Exemptions

2. (1) The TTC Insurance Company Limited is exempt from the application of the new investment rules, and the old investment rules shall continue to apply to it.

(2) Parts 11.2 and XVII.1 of the Act do not apply to the TTC Insurance Company Limited.

#### Commencement

3. This Regulation comes into force on the latest of,

(a) the day it is filed;

(b) the day subsection 6 (6) of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force; and

(c) the day section 14 of Schedule O to the *Budget Measures Act, 2006* (No. 2) comes into force.

**RÈGLEMENT DE L'ONTARIO 131/08**

pris en application de la

**LOI SUR LES ASSURANCES**

pris le 30 avril 2008

déposé le 2 mai 2008

publié sur le site Lois-en-ligne le 5 mai 2008

imprimé dans la *Gazette de l'Ontario* le 17 mai 2008**DISPENSE DE L'APPLICATION DES NOUVELLES RÈGLES DE PLACEMENT****Définitions**

1. Les définitions qui suivent s'appliquent au présent règlement.

«anciennes règles de placement» S'entend au sens du paragraphe 431.1 (1) de la Loi. («old investment rules»)

«nouvelles règles de placement» S'entend au sens du paragraphe 431.1 (1) de la Loi. («new investment rules»)

**Dispenses**

2. (1) La compagnie appelée TTC Insurance Company Limited est dispensée de l'application des nouvelles règles de placement et les anciennes règles de placement continuent de s'appliquer à elle.

(2) Les parties II.2 et XVII.1 de la Loi ne s'appliquent pas à la compagnie appelée TTC Insurance Company Limited.

**Entrée en vigueur**

3. Le présent règlement entre en vigueur le dernier en date des jours suivants :

- a) le jour de son dépôt;
- b) le jour de l'entrée en vigueur du paragraphe 6 (6) de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2);
- c) le jour de l'entrée en vigueur de l'article 14 de l'annexe O de la *Loi de 2006 sur les mesures budgétaires* (n° 2).

20/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—05—24

**ONTARIO REGULATION 132/08**

made under the

**EDUCATION ACT**

Made: April 16, 2008

Approved: April 30, 2008

Filed: May 5, 2008

Published on e-Laws: May 6, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending Reg. 298 of R.R.O. 1990  
(Operation of Schools — General)

Note: Regulation 298 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 1 of Regulation 298 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:**

“technological education” means the courses prescribed or developed under subsection 8 (1) of the Act and described in the documents entitled “The Ontario Curriculum, Grades 9 and 10 – Technological Education (2008)” and “The Ontario Curriculum, Grades 11 and 12 – Technological Education (2008)”, available on the Ministry of Education website. (“éducation technologique”)

**(2) The definition of “technological studies” in section 1 of the Regulation is revoked.**

**2. (1) Subsection 19 (5) of the Regulation is amended by striking out “technological studies” wherever it appears and substituting in each case “technological education”.**

**(2) Subsection 19 (6) of the Regulation is amended by striking out “subsection 1 (1)” in the portion before clause (a) and substituting “subsection 1 (3)”.**

**(3) Clause 19 (7) (b) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(4) Subsection 19 (8) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(5) Subsection 19 (9) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(6) Subsection 19 (10) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(7) Subclause 19 (14) (c) (iv) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(8) Subsection 19 (15) of the Regulation is amended by striking out “technological studies” wherever it appears and substituting in each case “technological education”.**

**(9) Subsection 19 (18) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

**(10) Subsection 19 (19) of the Regulation is amended by striking out “technological studies” and substituting “technological education”.**

3. (1) Subject to subsection (2), this Regulation comes into force on May 31, 2009.
- (2) Subsection 2 (2) and this section come into force on the day this Regulation is filed.

## RÈGLEMENT DE L'ONTARIO 132/08

### pris en application de la LOI SUR L'ÉDUCATION

pris le 16 avril 2008  
approuvé le 30 avril 2008  
déposé le 5 mai 2008  
publié sur le site Lois-en-ligne le 6 mai 2008  
imprimé dans la *Gazette de l'Ontario* le 24 mai 2008

modifiant le Règl. 298 des R.R.O. de 1990  
(Fonctionnement des écoles — dispositions générales)

Remarque : Le Règlement 298 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. (1) L'article 1 du Règlement 298 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la définition suivante :

«éducation technologique» Les cours prescrits ou élaborés aux termes du paragraphe 8 (1) de la Loi et décrits dans les documents intitulés «Le curriculum de l'Ontario, 9<sup>e</sup> et 10<sup>e</sup> année – Éducation technologique, 2008» et «Le curriculum de l'Ontario, 11<sup>e</sup> et 12<sup>e</sup> année – Éducation technologique, 2008», publiés sur le site Web du ministère de l'Éducation. («technological education»)

(2) La définition de «études technologiques» à l'article 1 du Règlement est abrogée.

2. (1) Le paragraphe 19 (5) du Règlement est modifié par substitution de «en éducation technologique» à «en études technologiques» et de «de l'éducation technologique» à «des études technologiques».

(2) Le paragraphe 19 (6) du Règlement est modifié par substitution de «paragraphe 1 (3)» à «paragraphe 1 (1)» dans le passage qui précède l'alinéa a).

(3) L'alinéa 19 (7) b) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».

(4) Le paragraphe 19 (8) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».

(5) Le paragraphe 19 (9) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».

(6) Le paragraphe 19 (10) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».

(7) Le sous-alinéa 19 (14) c) (iv) du Règlement est modifié par substitution de «l'éducation technologique» à «les études technologiques».

(8) Le paragraphe 19 (15) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques» aux endroits où figurent ces mots.

(9) Le paragraphe 19 (18) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».

(10) Le paragraphe 19 (19) du Règlement est modifié par substitution de «à l'éducation technologique autrefois appelée» à «aux études technologiques autrefois appelées».

3. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 31 mai 2009.

(2) Le paragraphe 2 (2) et le présent article entrent en vigueur le jour du dépôt du présent règlement.

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 16, 2008.  
Pris le : 16 avril 2008.

21/08

## ONTARIO REGULATION 133/08

made under the

### EDUCATION ACT

Made: April 16, 2008  
Approved: April 30, 2008  
Filed: May 5, 2008  
Published on e-Laws: May 6, 2008  
Printed in *The Ontario Gazette*: May 24, 2008

Amending Reg. 296 of R.R.O. 1990  
(Ontario Schools for the Blind and the Deaf)

Note: Regulation 296 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 23 of Regulation 296 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

#### QUALIFICATIONS OF TEACHERS

**23.** A teacher employed to teach the deaf or hard of hearing, the blind or the deaf-blind at a School shall meet both of the following requirements:

1. The teacher holds a certificate of qualification of any kind or class provided for in Ontario Regulation 184/97 (Teachers Qualifications) made under the *Ontario College of Teachers Act, 1996*.
2. The certificate of qualification indicates a specialist qualification for teaching the deaf or hard of hearing, blind or deaf-blind, as the case may be, or the teacher is actively engaged in completing the requirements set out in Ontario Regulation 184/97 for the specialist qualification.

**2. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 133/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 16 avril 2008

approuvé le 30 avril 2008

déposé le 5 mai 2008

publié sur le site Lois-en-ligne le 6 mai 2008

imprimé dans la *Gazette de l'Ontario* le 24 mai 2008

modifiant le Règl. 296 des R.R.O. de 1990

(Écoles provinciales pour aveugles et pour sourds)

Remarque: Le Règlement 296 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. L'article 23 du Règlement 296 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

**QUALIFICATION REQUISE DES ENSEIGNANTS**

23. L'enseignant employé pour enseigner aux sourds ou malentendants, aux aveugles ou aux sourds et aveugles à une école remplit les deux conditions suivantes :

1. L'enseignant détient un certificat de compétence de tout genre ou de toute catégorie prévu par le Règlement de l'Ontario 184/97 (Teachers Qualifications) pris en application de la *Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario*.
2. Le certificat de compétence indique une qualification de spécialiste en enseignement aux sourds ou malentendants, aux aveugles ou aux sourds et aveugles, selon le cas, ou l'enseignant fait le nécessaire en vue de remplir les conditions requises qui sont énoncées dans le Règlement de l'Ontario 184/97 pour cette qualification.

2. Le présent règlement entre en vigueur le jour de son dépôt.

Made by:

Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: April 16, 2008.

Pris le : 16 avril 2008.

21/08

**ONTARIO REGULATION 134/08**

made under the

**ONTARIO COLLEGE OF TEACHERS ACT, 1996**

Made: March 28, 2008

Approved: April 30, 2008

Filed: May 5, 2008

Published on e-Laws: May 6, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending O. Reg. 437/97

(Professional Misconduct)

Note: Ontario Regulation 437/97 has not previously been amended.

1. Paragraph 7 of section 1 of Ontario Regulation 437/97 is revoked and the following substituted:

- 7. Abusing a student verbally.
  - 7.1 Abusing a student physically.
  - 7.2 Abusing a student psychologically or emotionally.
  - 7.3 Abusing a student sexually.
2. **This Regulation comes into force on the day it is filed.**

## RÈGLEMENT DE L'ONTARIO 134/08

pris en application de la

### LOI DE 1996 SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

pris le 28 mars 2008  
approuvé le 30 avril 2008  
déposé le 5 mai 2008  
publié sur le site Lois-en-ligne le 6 mai 2008  
imprimé dans la *Gazette de l'Ontario* le 24 mai 2008

modifiant le Règl. de l'Ont. 437/97  
(Faute professionnelle)

Remarque : Le Règlement de l'Ontario 437/97 n'a pas été modifié antérieurement.

**1. La disposition 7 de l'article 1 du Règlement de l'Ontario 437/97 est abrogée et remplacée par ce qui suit :**

- 7. Le fait d'infliger à un élève des mauvais traitements d'ordre verbal.
- 7.1 Le fait d'infliger à un élève des mauvais traitements d'ordre physique.
- 7.2 Le fait d'infliger à un élève des mauvais traitements d'ordre psychologique ou affectif.
- 7.3 Le fait d'infliger à un élève des mauvais traitements d'ordre sexuel.

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:  
Pris par :

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:  
CONSEIL DE L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO :

DON CATTANI  
*Chair*

BRIAN P. MCGOWAN  
*Registrar and C.E.O.*

Date made: March 28, 2008.  
Pris le : 28 mars 2008.

21/08

**ONTARIO REGULATION 135/08**

made under the

**ONTARIO COLLEGE OF TEACHERS ACT, 1996**

Made: April 7, 2008

Approved: April 30, 2008

Filed: May 5, 2008

Published on e-Laws: May 6, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending O. Reg. 184/97

(Teachers Qualifications)

Note: Ontario Regulation 184/97 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) The following provisions of Ontario Regulation 184/97 are amended by striking out “technological studies” wherever it appears and substituting in each case “technological education”:

1. Clause 1 (4) (a).
2. Clause 1 (4) (b).
3. Subsection 32 (2).
4. Subclause 34 (c) (iii), in the portion before paragraph 1.
5. Clause 40 (4) (c).

(2) The following provisions of the Regulation are amended by striking out “Technological Studies” wherever it appears and substituting in each case “Technological Education”:

1. Subsection 40 (4), in the portion before clause (a).
2. Clause 40 (4) (e).
3. Subsection 40 (4), in the portion after clause (e).

2. (1) The definition of “acceptable post-secondary degree” in subsection 1 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

“acceptable post-secondary degree” means a degree, including a baccalaureate degree in an applied area of study, for which a person is required to complete at least 90 post-secondary credits or their equivalent and that is,

(2) The definition of “general studies” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“general studies” means the courses prescribed or developed for the intermediate and senior divisions under subsection 8 (1) of the *Education Act* and described in the secondary curriculum documents available on the Ministry of Education website, excluding the courses described in the documents entitled “The Ontario Curriculum, Grades 9 and 10 – Technological Education (2008)” and “The Ontario Curriculum, Grades 11 and 12 – Technological Education (2008)”;

(3) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“technological education” means the courses prescribed or developed under subsection 8 (1) of the *Education Act* and described in the documents entitled “The Ontario Curriculum, Grades 9 and 10 – Technological Education (2008)” and “The Ontario Curriculum, Grades 11 and 12 – Technological Education (2008)” available on the Ministry of Education website.

(4) The definition of “technological qualifications” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“technological qualifications” means, in respect of a candidate for a certificate of qualification, an interim certificate of qualification, a certificate of qualification (limited) or an interim certificate of qualification (limited), the following:

1. The candidate holds a secondary school graduation diploma or has successfully completed courses that are considered by the College to be the equivalent of holding such a diploma.
2. In the candidate’s program of professional education, he or she chose the same area of technological education for his or her optional courses for Grades 9 and 10 and for Grades 11 and 12.



3. The candidate has proof of his or her competence based on an assessment of advanced knowledge and skill in the area of technological education selected by the candidate for his or her optional courses.

4. One of,

- i. five years of wage-earning experience, including business or industrial experience, where the candidate used skills and knowledge in the area of technological education selected for his or her optional courses,
- ii. at least two years of wage-earning experience and successful completion of a post-secondary education program acceptable to the College that includes at least six semesters of academic studies, where the experience and education used the candidate's skills and knowledge in the area of technological education selected for his or her optional courses, or
- iii. a combination of the following that totals five years, including at least two years of experience described in sub-paragraph B:
  - A. Education beyond that referred to in paragraph 1 that is related to the area of technological education selected for the candidate's optional courses.
  - B. Wage-earning experience, including business or industrial experience, no less than four months of which is continuous employment, where the candidate used skills and knowledge in the area of technological education selected for his or her optional courses.

(5) The definition of "technological studies" in subsection 1 (1) of the Regulation is revoked.

(6) Subsection 1 (3) of the Regulation is amended by striking out "educational program" in the portion before paragraph 1 and substituting "accredited program".

(7) Paragraph 1 of subsection 1 (3) of the Regulation is amended by striking out the portion before subparagraph i and substituting the following:

- 1. The program leads to the granting of a degree by an institution identified in clause (a) of the definition of "acceptable post-secondary degree" in subsection (1) and includes a concentrated study of,

. . . . .

(8) Subparagraph 1 iv of subsection 1 (3) of the Regulation is revoked and the following substituted:

- iv. technological education, including one optional course for Grades 9 and 10 from Schedule B and one optional course for Grades 11 and 12 from Schedule B, where both courses are in the same area of technological education.

3. Paragraph 2 of subsection 13.1 (2) of the Regulation is amended by striking out "subsection 1 (1)" at the end and substituting "subsection 1 (3)".

4. Clause 27 (c) of the Regulation is amended by striking out "accredited program of teacher education leading to qualifications" and substituting "accredited program leading to additional qualifications".

5. Clause 29 (2) (d) of the Regulation is amended by striking out "acceptable university degree" and substituting "acceptable post-secondary degree".

6. Clause 40 (4) (b) of the Regulation is amended by striking out "or" at the end of subclause (i), by adding "or" at the end of subclause (ii) and by adding the following subclause:

- (iii) two of the subjects in Schedule B for Grades 9 and 10 and the same two subjects for Grades 11 and 12;

7. (1) Clause 44 (a) of the Regulation is revoked and the following substituted:

- (a) hold an acceptable post-secondary degree or qualifications the College considers to be equivalent to an acceptable post-secondary degree;

(2) Clause 44 (c) of the Regulation is revoked and the following substituted:

- (c) have an entry on his or her certificate of qualification that shows a qualification in technological studies for Grades 9 and 10 or a concentration in the intermediate division, and that shows any two of,
  - (i) a concentration in the primary division,
  - (ii) a concentration in the junior division, and
  - (iii) either a qualification in technological studies for Grades 11 and 12 or a concentration in the senior division;

(3) Clause 44 (c) of the Regulation, as remade by subsection (2), is amended by striking out "technological studies" wherever it appears and substituting in each case "technological education".

**(4) Subparagraph 1 i of clause 44 (e) of the Regulation is revoked and the following substituted:**

- i. successful completion of at least one-half the number of graduate post-secondary credits required to qualify for a master's degree granted by an institution identified in clause (a), (b), (c) or (d) of the definition of "acceptable post-secondary degree" in subsection 1 (1), or

**(5) Paragraphs 2 and 3 of clause 44 (e) of the Regulation are revoked and the following substituted:**

- 2. A master's degree for which the applicant was required to complete at least 30 graduate post-secondary credits or their equivalent, or a doctorate, where the master's degree or doctorate is granted by an institution identified in clause (a), (b), (c) or (d) of the definition of "acceptable post-secondary degree" in subsection 1 (1).
- 3. Successful completion of at least 30 graduate post-secondary credits or their equivalent, completed at an institution identified in clause (a), (b), (c) or (d) of the definition of "acceptable post-secondary degree" in subsection 1 (1).

**(6) Section 44 of the Regulation is amended by adding the following subsection:**

(2) To fulfil a requirement in clause (1) (e) relating to the completion of graduate post-secondary credits or their equivalent, the credits or their equivalent must have been completed by the applicant in addition to any credits that he or she was required to complete to be granted a certificate of qualification or interim certificate of qualification.

**8. The Regulation is amended by adding the following section immediately before the heading "PART IV TEMPORARY LETTERS OF APPROVAL":**

**52.1** A candidate who began Part I or Part II of a Principal's Qualification Program before August 31, 2008 may complete the requirements for the qualification set out in this Regulation, as it read on August 30, 2008, and on completion shall have an entry recorded on his or her certificate of qualification indicating Part I or Part II of the qualification, as the case may be.

**9. (1) Paragraph 3 of section 55 of the Regulation is revoked and the following substituted:**

- 3. The person has an entry on his or her certificate of qualification that shows a qualification in technological studies for Grades 9 and 10 or a concentration in the intermediate division, and that shows any two of,
  - i. a concentration in the primary division,
  - ii. a concentration in the junior division, and
  - iii. either a qualification in technological studies for Grades 11 and 12 or a concentration in the senior division,

**(2) Paragraph 3 of section 55 of the Regulation, as remade by subsection (1), is amended by striking out "technological studies" wherever it appears and substituting in each case "technological education".**

**(3) Paragraph 4 of section 55 of the Regulation is revoked and the following substituted:**

- 4. The person holds an acceptable post-secondary degree or qualifications the College considers to be equivalent to an acceptable post-secondary degree.

**(4) Paragraph 5 of section 55 of the Regulation is revoked and the following substituted:**

- 5. The person holds a master's degree that required the completion of at least 30 graduate post-secondary credits or their equivalent, as described in subsection (2), and the degree was granted by an institution identified in clause (a), (b), (c) or (d) of the definition of "acceptable post-secondary degree" in subsection 1 (1).

**(5) Section 55 of the Regulation is amended by adding the following subsection:**

(2) To fulfil the requirement in paragraph 5 of subsection (1) relating to the completion of graduate post-secondary credits or their equivalent, the credits or their equivalent must have been completed by the applicant in addition to any credits that he or she was required to complete to be granted a certificate of qualification or interim certificate of qualification.

**10. The Regulation is amended by adding the following section immediately before the heading "PART VI REGISTRATION":**

**56.1** A candidate who began a supervisory officer's qualifications program before August 31, 2008 may complete the requirements for the qualifications set out in this Regulation, as it read on August 30, 2008, and on completion shall have an entry recorded on his or her certificate of qualification indicating an additional qualification as a supervisory officer.

**11. The Regulation is amended by adding the following section:**

**62.1 (1)** Any person who, on May 30, 2009, holds a qualification that is listed in Column 2 of the Table to this subsection is deemed, on and after May 31, 2009, to hold the qualification set out in the corresponding cell of Column 3 of the Table:



TABLE

Item	Column 1	Column 2	Column 3
	Schedule	Old qualification name	New qualification name
1.	Schedule B	Hospitality Services, Grades 9 and 10	Hospitality and Tourism, Grades 9 and 10
2.	Schedule B	Hospitality Services, Grades 9 and 10	Hospitality and Tourism, Grades 9 and 10

(2) Any person who, on May 31, 2009, holds a qualification identified in the Table to this subsection continues to hold the qualification after that date despite its revocation from Schedule B.

TABLE

Item	Column 1	Column 2
	Schedule	Qualification
1.	Schedule B	Personal Services, Grades 9 and 10
2.	Schedule B	Personal Services, Grades 11 and 12

**12. Schedule B to the Regulation is revoked and the following substituted:**

**SCHEDULE B  
TECHNOLOGICAL EDUCATION OPTIONS TAKEN IN ENGLISH OR FRENCH**

Communications Technology, Grades 9 and 10  
 Communications Technology, Grades 11 and 12  
 Computer Technology, Grades 9 and 10  
 Computer Technology, Grades 11 and 12  
 Construction Technology, Grades 9 and 10  
 Construction Technology, Grades 11 and 12  
 Green Industries, Grades 9 and 10  
 Green Industries, Grades 11 and 12  
 Hairstyling and Aesthetics, Grades 9 and 10  
 Hairstyling and Aesthetics, Grades 11 and 12  
 Health Care, Grades 9 and 10  
 Health Care, Grades 11 and 12  
 Hospitality and Tourism, Grades 9 and 10  
 Hospitality and Tourism, Grades 11 and 12  
 Manufacturing Technology, Grades 9 and 10  
 Manufacturing Technology, Grades 11 and 12  
 Technological Design, Grades 9 and 10  
 Technological Design, Grades 11 and 12  
 Transportation Technology, Grades 9 and 10  
 Transportation Technology, Grades 11 and 12

**13. Schedule C to the Regulation is amended by striking out "Computer Studies — Computer Technology".**

**14. (1) The following provisions come into force on the day this Regulation is filed.**

1. Subsections 2 (1), (6) and (7).
2. Sections 3, 4 and 5.
3. Subsection 7 (1).
4. Subsection 9 (3).
5. Section 14.

**(2) The following provisions come into force on August 31, 2008:**



1. Subsections 7 (2), (4), (5) and (6).
2. Section 8.
3. Subsections 9 (1), (4) and (5).
4. Section 10.
- (3) The following provisions come into force on May 31, 2009:
  1. Section 1.
  2. Subsections 2 (2), (3), (4), (5) and (8).
  3. Section 6.
  4. Subsection 7 (3).
  5. Subsection 9 (2).
  6. Sections 11, 12 and 13.

Made by:

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:

DON CATTANI  
*Council Chair*

BRIAN P. MCGOWAN  
*Registrar and Chief Executive Officer*

Date made: April 7, 2008.

21/08

## ONTARIO REGULATION 136/08

made under the

### ONTARIO COLLEGE OF TEACHERS ACT, 1996

Made: April 7, 2008  
Approved: April 30, 2008  
Filed: May 5, 2008  
Published on e-Laws: May 6, 2008  
Printed in *The Ontario Gazette*: May 24, 2008

Amending O. Reg. 347/02  
(Accreditation of Teacher Education Programs)

Note: Ontario Regulation 347/02 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) Subsection 1 (1) of Ontario Regulation 347/02 is amended by adding the following definition:

“technological education” has the same meaning as in Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools — General) made under the *Education Act*; (“éducation technologique”)
- (2) The definition of “technological studies” in subsection 1 (1) of the Regulation is revoked.
- (3) Subparagraph 1 iv of subsection 1 (2) of the Regulation is revoked and the following substituted:
  - iv. technological education, including one optional course for Grades 9 and 10 from Schedule B to Ontario Regulation 184/97 and one optional course for Grades 11 and 12 from that Schedule, where both courses are in the same area of technological education.

(4) Clause 1 (3) (a) of the Regulation is amended by striking out "technological studies" and substituting "technological education".

(5) Clause 1 (3) (b) of the Regulation is amended by striking out "technological studies" and substituting "technological education".

2. This Regulation comes into force on May 31, 2009.

## RÈGLEMENT DE L'ONTARIO 136/08

pris en application de la

### LOI DE 1996 SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

pris le 7 avril 2008

approuvé le 30 avril 2008

déposé le 5 mai 2008

publié sur le site Lois-en-ligne le 6 mai 2008

imprimé dans la *Gazette de l'Ontario* le 24 mai 2008

modifiant le Règl. de l'Ont. 347/02

(Agrément des programmes de formation des enseignants)

Remarque : Le Règlement de l'Ontario 347/02 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. (1) Le paragraphe 1 (1) du Règlement de l'Ontario 347/02 est modifié par adjonction de la définition suivante :  
«éducation technologique» S'entend au sens du Règlement 298 des Règlements refondus de l'Ontario de 1990 (Fonctionnement des écoles — dispositions générales) pris en application de la *Loi sur l'éducation*. («technological education»)
  - (2) La définition de «études technologiques» au paragraphe 1 (1) du Règlement est abrogée.
  - (3) La sous-disposition 1 iv du paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :
    - iv. l'éducation technologique, y compris un cours facultatif figurant à l'annexe B du Règlement de l'Ontario 184/97 pour la neuvième et la dixième année et un cours facultatif figurant à cette annexe pour la onzième et la douzième année, ces deux cours devant porter sur le même domaine de l'éducation technologique.
  - (4) L'alinéa 1 (3) a) du Règlement est modifié par substitution de «que constitue l'éducation technologique» à «que constituent les études technologiques».
  - (5) L'alinéa 1 (3) b) du Règlement est modifié par substitution de «de l'éducation technologique» à «des études technologiques».
2. Le présent règlement entre en vigueur le 31 mai 2009.

Made by:  
Pris par :

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:  
CONSEIL DE L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO :

DON CATTANI  
*Chair of Council*

BRIAN P. MCGOWAN  
*Registrar and Chief Executive Officer*

Date made: April 7, 2008.  
Pris le : 7 avril, 2008.

**ONTARIO REGULATION 137/08**

made under the

**FARM PRODUCTS MARKETING ACT**

Made: April 30, 2008

Filed: May 7, 2008

Published on e-Laws: May 8, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending Reg. 429 of R.R.O. 1990

(Sheep,— Marketing)

Note: Regulation 429 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Section 6 of Regulation 429 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

(j.1) authorizing the fixing of prompt payment discounts, delayed payment penalties and interest on licence fees owing by any person engaged in the producing, marketing or processing of sheep or wool;

2. This Regulation comes into force on the day it is filed.

**RÈGLEMENT DE L'ONTARIO 137/08**

pris en application de la

**LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES**

pris le 30 avril 2008

déposé le 7 mai 2008

publié sur le site Lois-en-ligne le 8 mai 2008

imprimé dans la *Gazette de l'Ontario* le 24 mai 2008

modifiant le Règl. 429 des R.R.O. de 1990

(Ovins — Commercialisation)

Remarque : Le Règlement 429 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. L'article 6 du Règlement 429 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :

j.1) autoriser la fixation de remises pour les paiements immédiats et de pénalités avec intérêts en cas de retard de paiement pour les droits de permis payables par quiconque se livre à la production, à la commercialisation ou à la transformation d'ovins ou de laine;

2. Le présent règlement entre en vigueur le jour de son dépôt.



Made by:  
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:  
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Date made: April 30, 2008.  
Pris le : 30 avril 2008.

21/08

## ONTARIO REGULATION 138/08

made under the

### MILK ACT

Made: May 1, 2008  
Filed: May 7, 2008  
Published on e-Laws: May 8, 2008  
Printed in *The Ontario Gazette*: May 24, 2008

Amending Reg. 753 of R.R.O. 1990  
(Grades, Standards, Designations, Classes, Packing and Marking)

Note: Regulation 753 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The table to section 11 of Regulation 753 of the Revised Regulations of Ontario, 1990 is amended by striking out,

2	Milk used to process sour cream, yogourt, frozen yogourt, beverage yogourt, yogourt shake, ice cream, ice cream mix, ice milk, ice milk mix, sherbet, sherbet mix, frozen dairy dessert, milk shake, milk shake mix, kefir, fudge, soup mixes or Indian sweets
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and substituting,

2	Milk used to process sour cream, yogourt, frozen yogourt, beverage yogourt, yogourt shake, ice cream, ice cream mix, ice milk, ice milk mix, sherbet, sherbet mix, frozen dairy dessert, milk shake, milk shake mix, kefir, fudge, soup mixes or Indian sweets
	Unhomogenized milk sold to consumers in non-gradated containers of 20 litres or more

2. This Regulation comes into force on the day it is filed.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Date made: May 1, 2008.

21/08

## ONTARIO REGULATION 139/08

made under the

### MILK ACT

Made: May 1, 2008

Filed: May 7, 2008

Published on e-Laws: May 8, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending Reg. 761 of R.R.O. 1990  
(Milk and Milk Products)

Note: Regulation 761 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Clause 16 (1) (a) of Regulation 761 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

(a) a refrigeration unit capable of,

- (i) cooling milk in the tank to a temperature of 10°C or lower within one hour after the completion of milking, and 4°C or lower within two hours after the completion of milking,
- (ii) except within a period of two hours after the completion of milking, maintaining a temperature of milk in the tank not higher than 4°C while milk remains in the tank,
- (iii) maintaining a temperature of milk in the tank not lower than 1°C at any time while milk remains in the tank, and
- (iv) except in the case of a unit operated by a generator or an internal combustion engine, regulating the temperature by an automatic control mechanism to within 1°C of a designated temperature;

**(2) Subsection 16 (5) of the Regulation is revoked and the following substituted:**

(5) The farm bulk tank refrigeration unit, the agitator and the tank-truck pump must be powered by electricity provided by a source of electric power that is sufficient to operate the farm bulk tank refrigeration unit, the agitator and the tank-truck pump in accordance with this Regulation.

**2. The Regulation is amended by adding the following sections:**

#### TIME TEMPERATURE RECORDERS

**34.1 (1)** This section applies to every producer of cow's milk.

(2) Every producer shall install and maintain as many time temperature recorders as necessary to monitor the farm bulk tanks and pipelines that the producer uses for cow's milk and the sinks that the producer uses for cleaning milking equipment used for cow's milk in accordance with this Regulation.

(3) Each time temperature recorder must continuously display the correct date and time and the current temperature of the contents of every farm bulk tank, pipeline and sink used for cleaning milking equipment that the particular time temperature recorder monitors.

(4) Each time temperature recorder must be located in the milk house or in a vestibule that is attached to the milk house and that opens to the outdoors.

(5) Each time temperature recorder must be powered by electricity provided by a source of electric power that is capable of operating the time temperature recorder in accordance with this Regulation and on a continuous basis.

(6) Each time temperature recorder must be equipped with a working battery or other back-up power supply and programmed so that if the electric power supply is interrupted, the time temperature recorder will,

(a) continue to display the correct time and date; and

(b) continue to preserve all information that is stored on it at the time of the interruption in the electric power supply.

(7) Each time temperature recorder must be designed, constructed, programmed and installed so that it does not cause electronic interference with the normal operation of the farm bulk tank, agitator, farm bulk tank refrigeration unit, tank-truck pump, pipeline or other equipment.

(8) Each time temperature recorder must be programmed with the minimum and maximum water temperatures recommended by the manufacturer of the washing compounds used in the washing solution for cleaning the farm bulk tank, pipeline or sink used for cleaning milking equipment that the particular time temperature recorder monitors.

(9) Each time temperature recorder that has electronic sensors that come into direct contact with milk must be designed and constructed so that the sensors may be maintained in a sanitary condition and every producer shall maintain the sensors in a sanitary condition.

(10) If the electric power supply to a time temperature recorder is interrupted, when the electric power supply is restored, the time temperature recorder must display a visual alarm.

(11) A time temperature recorder that monitors a farm bulk tank must display a visual alarm every time,

(a) the temperature of the milk in the farm bulk tank,

(i) is higher than 10°C at any time, except within one hour after the completion of milking,

(ii) is higher than 4°C at any time, except within two hours after the completion of milking, or

(iii) is lower than 1°C at any time;

(b) the milk in the farm bulk tank is not agitated for at least five minutes every hour in accordance with subsection 16 (2); or

(c) the farm bulk tank is not cleaned in accordance with clause 13 (1) (a) between emptying and the next milking.

(12) A time temperature recorder that monitors a pipeline must display a visual alarm if the pipeline is not cleaned in accordance with clauses 13 (1) (a) and 32 (1) (a) after each milking.

(13) A time temperature recorder that monitors a sink used for cleaning milking equipment must display a visual alarm if the sink is not used to clean the milking equipment after each milking.

(14) A time temperature recorder that monitors a farm bulk tank, pipeline or sink used for cleaning milking equipment must display a visual alarm if the temperature of the washing solution in the farm bulk tank, pipeline or sink does not reach the minimum temperature or exceeds the maximum temperature described in subsection (8).

(15) When a time temperature recorder displays an alarm in accordance with subsection (10), (11), (12), (13) or (14), the display on the time temperature recorder must indicate what caused the alarm to activate.

(16) A time temperature recorder that monitors a farm bulk tank or pipeline must measure and record the average temperature of milk in the farm bulk tank or pipeline for every five-minute period that the farm bulk tank or pipeline contains milk.

(17) A record required by subsection (16) must be made at the end of every five-minute period and must include the date and time that the record was made.

(18) A time temperature recorder that monitors a farm bulk tank, pipeline or sink used for cleaning milking equipment must measure and record the average temperature of the contents of the farm bulk tank, pipeline or sink for every twenty-second period that the farm bulk tank, pipeline or sink contains rinse water, washing solution or sanitizing solution.

(19) A record required by subsection (18) must be made at the end of every twenty-second period and must include the date and time that the record was made.

(20) A time temperature recorder must make a record every time an alarm activates in accordance with subsection (10), (11), (12), (13) or (14).



(21) A record required by subsection (20) must include,

- (a) the date and time the alarm was activated;
- (b) the date and time the alarm was deactivated;
- (c) the cause of the alarm;
- (d) if the alarm is activated due to a circumstance described in subsection (10), the time when the interruption in the electric power supply started;
- (e) if the alarm is activated due to a circumstance described in clause 11 (11) (a), the temperature of the milk in the farm bulk tank at the time the alarm activated; and
- (f) if the alarm is activated due to a circumstance described in subsection (14), the temperature of the washing solution in the farm bulk tank, pipeline or sink at the time the alarm activated.

(22) Subject to subsection (23), a time temperature recorder must hold the records it is required to make by this Regulation in its memory in an unaltered form for the most recent three years.

(23) Until August 1, 2011, a time temperature recorder must hold all the records it is required to make by this Regulation in its memory in an unaltered form.

(24) The records held in a time temperature recorder must be stored in a form that is approved by a Director and that will allow a field-person to electronically retrieve and copy the records in a readable form.

**3. This Regulation comes into force on August 1, 2008.**

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Date made: May 1, 2008.

21/08

**ONTARIO REGULATION 140/08**

made under the

**ASSESSMENT ACT**

Made: May 7, 2008

Filed: May 9, 2008

Published on e-Laws: May 12, 2008

Printed in *The Ontario Gazette*: May 24, 2008

Amending O. Reg. 173/07

(Annual Deadlines for By-Laws Adopting Optional Classes)

Note: Ontario Regulation 173/07 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1.1 of Ontario Regulation 173/07 is amended by striking out “April 30, 2008” and substituting “June 30, 2008”.**

**2. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: May 7, 2008.

21/08

**ONTARIO REGULATION 141/08**

made under the

**MUNICIPAL ACT, 2001**

Made: May 7, 2008

Filed: May 9, 2008

Published on e-Laws: May 12, 2008

Printed in *The Ontario Gazette*: May 24, 2008**TAX MATTERS — 2008 TIME LIMITS FOR CERTAIN BY-LAWS****Time limits**

1. The time limits for 2008 under subsections 308 (4) and (5), 308.1 (4) and (5), 310 (7), 311 (2) and (4), 314 (1), 329.1 (2) and 362 (1) of the Act are June 30, 2008.

**Revocation**

2. Ontario Regulation 174/07 is revoked.

**Commencement**

3. This Regulation comes into force on the day it is filed.

Made by:

DWIGHT DOUGLAS DUNCAN  
*Minister of Finance*

Date made: May 7, 2008.

21/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

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2008—05—31

**ONTARIO REGULATION 142/08**

made under the

**EDUCATION ACT**

Made: January 30, 2008

Approved: February 13, 2008

Filed: May 15, 2008

Published on e-Laws: May 16, 2008

Printed in *The Ontario Gazette*: May 31, 2008

**LETTERS OF PERMISSION**

**Letters of permission**

1. (1) The Minister may grant to a board a letter of permission for a period specified in the letter if,
  - (a) the director of education or secretary of the board or, in the case of a school authority, the appropriate supervisory officer, submits to the Ministry an application in the form required by the Minister, which shall include the declaration of the person submitting the application that,
    - (i) the board has publicly advertised, at least once, a position for which a teacher is required under the regulations,
    - (ii) the advertisement,
      - (A) was published in a daily newspaper having provincial circulation in Ontario for at least three days, and at least one of those days was within the five days before the closing date of the competition for the position, or
      - (B) was published on a publicly accessible website approved by the Minister for at least ten days and was not removed before the closing date of the competition for the position,
    - (iii) every day that the advertisement appeared was within the 30 days before the closing date of the competition for the position,
    - (iv) no teacher has applied for the position or no teacher who has applied for the position has accepted it,
    - (v) the individual that the board proposes to employ under the authority of a letter of permission is 18 years of age or older and holds an Ontario secondary school diploma, a secondary school graduation diploma or a secondary school honour graduation diploma, or an equivalent to any of them,
    - (vi) the individual is not and has never been a member of the Ontario College of Teachers;
    - (vii) the individual has provided to the board a written statement that any teaching certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked or suspended for any reason other than for failure to pay fees or levies to the governing body,
    - (viii) the board has collected a personal criminal history, as defined in Ontario Regulation 521/01 (Collection of Personal Information) made under the Act, of the individual, and
    - (ix) the board has conducted a reference check of the individual and is satisfied with the results;
  - (b) the person submitting the application attaches to the application such evidence as the Minister may require of the facts set out in the declaration under clause (a);
  - (c) the application and evidence are submitted no earlier than seven days after the closing date of the competition for the position; and

- (d) the anticipated start date of the position for which the board proposes to employ the individual is no later than 30 days after the closing date of the competition for the position.
- (2) If a letter of permission is granted, it shall be effective as of the start date of the position.

**Revocation**

- 2. Ontario Regulation 183/97 is revoked.**

**Commencement**

- 3. This Regulation comes into force on June 30, 2008.**

**RÈGLEMENT DE L'ONTARIO 142/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 30 janvier 2008  
 approuvé le 13 février 2008  
 déposé le 15 mai 2008  
 publié sur le site Lois-en-ligne le 16 mai 2008  
 imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

**PERMISSIONS INTÉRIMAIRES****Permissions intérimaires**

1. (1) Le ministre peut accorder à un conseil une permission intérimaire valable pour la période qui y est précisée si les conditions suivantes sont réunies :
  - a) le directeur de l'éducation ou le secrétaire du conseil ou bien l'agent de supervision compétent, dans le cas d'une administration scolaire, présente au ministère une demande rédigée selon la formule qu'exige le ministre, laquelle doit comprendre une déclaration de sa part portant ce qui suit :
    - (i) le conseil a placé, au moins une fois, une annonce publique pour un poste pour lequel les règlements exigent un enseignant,
    - (ii) l'annonce, selon le cas :
      - (A) a été publiée dans un quotidien diffusé dans l'ensemble de l'Ontario pendant au moins trois jours dont au moins un des cinq jours qui précèdent la date de clôture du concours ouvert pour le poste en question,
      - (B) a été publiée sur un site Web public que le ministre a approuvé pendant au moins dix jours et n'a pas été retirée avant la date de clôture du concours,
    - (iii) chaque jour où l'annonce est parue se situait au cours des 30 jours précédant la date de clôture du concours,
    - (iv) aucun enseignant n'a présenté sa candidature ou aucun enseignant qui a présenté sa candidature n'a accepté le poste,
    - (v) le particulier que le conseil se propose d'employer aux termes d'une permission intérimaire est âgé d'au moins 18 ans et titulaire du diplôme d'études secondaires de l'Ontario, du diplôme d'études secondaires, du diplôme d'études secondaires supérieures ou d'un diplôme équivalent à l'un ou l'autre de ceux-ci,
    - (vi) le particulier n'est pas et n'a jamais été membre de l'Ordre des enseignantes et des enseignants de l'Ontario,
    - (vii) le particulier a fourni au conseil une déclaration écrite selon laquelle tout brevet d'enseignement ou autre permis d'enseigner que lui a accordé une autre autorité législative n'est pas annulé, révoqué ou suspendu pour un motif autre que le non-versement des droits ou cotisations au corps dirigeant,
    - (viii) le conseil a recueilli les antécédents criminels, au sens du Règlement de l'Ontario 521/01 (Collecte de renseignements personnels) pris en application de la Loi, du particulier,
    - (ix) le conseil a procédé à une vérification des références du particulier et est satisfait des résultats obtenus;
  - b) la personne qui présente la demande joint à celle-ci les preuves qu'exige le ministre au sujet des faits énoncés dans la déclaration prévue à l'alinéa a);

- c) la demande et les preuves sont présentées au plus tôt sept jours après la date de clôture du concours;
  - d) la date de début envisagée du poste pour lequel le conseil se propose d'employer le particulier tombe au plus tard 30 jours après la date de clôture du concours.
- (2) La permission intérimaire qui est accordée prend effet à la date de début du poste.

**Abrogation**

**2. Le Règlement de l'Ontario 183/97 est abrogé.**

**Entrée en vigueur**

**3. Le présent règlement entre en vigueur le 30 juin 2008.**

Made by:  
Pris par :

*La ministre de l'Éducation,*

KATHLEEN O'DAY WYNNE  
*Minister of Education*

Date made: January 30, 2008.  
Pris le : 30 janvier 2008.

22/08

**ONTARIO REGULATION 143/08**

made under the

**PROFESSIONAL ENGINEERS ACT**

Made: March 28, 2008  
Approved: May 14, 2008  
Filed: May 15, 2008  
Published on e-Laws: May 16, 2008  
Printed in *The Ontario Gazette*: May 31, 2008

Amending Reg. 941 of R.R.O. 1990  
(General)

Note: Regulation 941 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The definition of "Junior Regional Councillor" in section 1 of Regulation 941 of the Revised Regulations of Ontario, 1990 is amended by striking out "region" and substituting "Region".
2. Subparagraph 1 ii of section 2 of the Regulation is amended by striking out "regions" at the end and substituting "Regions".
3. Section 5 of the Regulation is amended by striking out "the Schedule" at the end and substituting "Table 1".
4. Section 12 of the Regulation is amended by adding the following subsections:
  - (5) Three members of the Central Election and Search Committee constitute a quorum.
  - (6) No member of the Central Election and Search Committee shall consent to being nominated for election to the Council while holding a position with the Committee.
  - (7) The Council may remove a member of the Central Election and Search Committee from his or her position if,
    - (a) the member is unable or unwilling to fulfil his or her duties or functions as a member of the Committee; or



(b) the member consents to being nominated for election to the Council in contravention of subsection (6).

(8) If a vacancy occurs on the Central Election and Search Committee by reason of the death, resignation or removal under subsection (7) of a member of the Committee, the Council may designate a member of the Council to fill the vacancy for the remainder of the unexpired term.

(9) To be valid, a motion under subsection (7) or (8) must be approved by the votes of at least two-thirds of the members of the Council present and voting on the motion.

**5. Subsection 13 (1) of the Regulation is amended by striking out "region" at the end and substituting "Region".**

**6. Section 41 of the Regulation is amended by adding the following subsection:**

(2.1) If the Experience Requirements Committee is requested to assess, for the purposes of section 51.1, an applicant for the reinstatement of a licence or limited licence, the Committee shall,

- (a) assess the applicant's knowledge and understanding of the current laws and standards governing the practice of professional engineering; and
- (b) determine whether the applicant's knowledge and understanding is sufficient to warrant the reinstatement of his or her licence or limited licence and so advise the Registrar.

**7. Section 51 of the Regulation is revoked and the following substituted:**

**51.** The following qualifications and requirements are prescribed for the reinstatement of the licence of a Member who resigned:

1. Payment of the fees owing by the applicant for reinstatement to the Association at the time the applicant resigned, if any, and of the fees for the current year.
2. Payment of a reinstatement fee of \$230.
3. Production of evidence of good character.

**51.1** The following qualifications and requirements are prescribed for the reinstatement of the licence or limited licence of a Member whose licence or limited licence was cancelled for non-payment of fees:

1. Payment of the fees owing by the applicant for reinstatement to the Association at the time his or her licence or limited licence was cancelled and of the fees for the current year.
2. Payment of a reinstatement fee of,
  - i. \$50, if the payments referred to in paragraph 1 are made in full within 90 days after the cancellation,
  - ii. \$230, if the payments referred to in paragraph 1 are made in full more than 90 days and within two years after the cancellation, and
  - iii. \$460, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation.
3. Production of evidence of good character, if the payments referred to in paragraph 1 are made in full more than one year after the cancellation.
4. Successful completion of an assessment by the Experience Requirements Committee that the applicant has sufficient knowledge and understanding of the current laws and standards governing the practice of professional engineering, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation.

**8. Subsection 80 (2) of the Regulation is revoked and the following substituted:**

(2) The registration fee for an applicant for registration as a holder of a licence whose application is accepted is \$230.

**9. Section 82 of the Regulation is revoked and the following substituted:**

**82.** The application fee for registration as a holder of a temporary licence is \$590.

**10. The Schedule to the Regulation is revoked and the following substituted:**

TABLE 1

Item	Column 1 Region	Column 2 Description
1.	Western	<p>Includes all that part of Ontario lying south and west of a line drawn as follows:</p> <p>Beginning at the Canada-United States border at the Town of Fort Erie on the Niagara River, north along the Niagara River to the Town of Niagara-on-the-Lake on the shoreline of Lake Ontario; then west along the shoreline of Lake Ontario to the boundary between the City of Burlington and the Town of Oakville; then north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continuing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Halton Regional Road 125, to Halton Regional Road 124; then west on Halton Regional Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road 124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then west along the northern boundary of the County of Dufferin to the eastern boundary of the County of Grey; then north along the eastern boundary of the County of Grey to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.</p>
2.	West Central	<p>Includes all that part of Ontario lying within a line drawn as follows:</p> <p>Beginning at Lake Ontario at the boundary between the City of Burlington and the Town of Oakville, north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continuing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Halton Regional Road 125, to Halton Regional Road 124; then west on Halton Regional Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road 124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then east along the northern boundary of the County of Dufferin to its eastern boundary; then south along the eastern boundary of the County of Dufferin to Highway 9; then east on Highway 9 to the eastern boundary of The Regional Municipality of Peel; then south along the eastern boundary of The Regional Municipality of Peel to Steeles Avenue West; then east along Steeles Avenue West to the West Don River; then south and southeast along the West Don River to Yonge Street, just south of Old York Mills Road; then south on Yonge Street to Yorkville Avenue; then west on Yorkville Avenue to Bay Street; then south on Bay Street to College Street; then east on College Street to Yonge Street; then south on Yonge Street to Lake Ontario; then west along the shoreline of Lake Ontario, but including the Toronto Islands, to the boundary between the City of Burlington and the Town of Oakville.</p>
3.	East Central	<p>Includes all that part of Ontario lying within a line drawn as follows:</p> <p>Beginning at Georgian Bay at the eastern end of the northern boundary of the District Municipality of Muskoka, east along that boundary to the western boundary of Algonquin Provincial Park; then south along the western boundary of Algonquin Provincial Park to the northern boundary of the County of Haliburton; then west and then south and then west and then south along the northern boundary of the County of Haliburton to the central portion of the northern boundary of the City of Kawartha Lakes; then west and then south and then west and then south along the northern boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then west along the northern boundary of The Regional Municipality of Durham to its western boundary; then south along the western boundary of The Regional Municipality of Durham to York Regional Road 32; then northeast following a line to the western end of Highway 7; then east on Highway 7 to the western boundary of the City of Kawartha Lakes; then south and then east and then south along the western boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then east along the northern boundary of The Regional Municipality of Durham to its eastern boundary; then south along the eastern boundary of The Regional Municipality of Durham to Lake Ontario; then west along the shoreline of Lake Ontario to Yonge Street; then north on Yonge Street to College Street; then west on College Street to Bay Street; then north on Bay Street to Yorkville Avenue; then east on Yorkville Avenue to Yonge Street; then north on Yonge Street to the West Don River, just south of Old York Mills Road; then north and northwest along the West Don River to the southern boundary of The Regional Municipality of York; then west along the southern boundary of The Regional Municipality of York to its western boundary; then north along the western boundary of The Regional Municipality of York to the southern boundary of the County of Simcoe; then west and then north and then west and then north along the western boundary of the County of Simcoe to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.</p>



Item	Column 1	Column 2
	Region	Description
4.	Eastern	Includes all that part of Ontario lying east of a line drawn as follows: Beginning at Lake Ontario at the western boundary of the County of Northumberland, north along that boundary to the southern boundary of the City of Kawartha Lakes; then west along the southern boundary of the City of Kawartha Lakes to its western boundary; then north and then west and then north along the western boundary of the City of Kawartha Lakes to Highway 7; then west on Highway 7 to its western end; then southwest following a line to the eastern end of York Regional Road 32; then north along the western boundary of The Regional Municipality of Durham to its northern boundary; then east along the northern boundary of The Regional Municipality of Durham to the western boundary of the City of Kawartha Lakes; then north and then east and then north and then east along the western boundary of the City of Kawartha Lakes to the western boundary of the County of Haliburton; then north and then east and then north and then east along the northern boundary of the County of Haliburton to the western boundary of Algonquin Provincial Park; then north along the western boundary of Algonquin Provincial Park to its northern boundary; then east along the northern boundary of Algonquin Provincial Park to the western boundary of the County of Renfrew; then north along the western boundary of the County of Renfrew to the Ottawa River.
5.	Northern	Includes all that part of Ontario lying north of a line drawn as follows: Beginning at the Ottawa River at the western boundary of the County of Renfrew, south along that boundary to the northern boundary of Algonquin Provincial Park; then west along the northern boundary of Algonquin Provincial Park to its western boundary; then south along the western boundary of Algonquin Provincial Park to the southern boundary of the Territorial District of Parry Sound; then west along the southern boundary of the Territorial District of Parry Sound to Georgian Bay; then northwest following a line through Georgian Bay to the mid point in the main channel between the Bruce Peninsula and Manitoulin Island; then west following a line to the Canada-United States border.

**11. This Regulation comes into force on June 16, 2008.**

Made by:

COUNCIL OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS OF ONTARIO:

WALTER BILANSKI  
*President*

KIM ALLEN  
*Chief Executive Officer/Registrar*

Date made: March 28, 2008.

22/08

**ONTARIO REGULATION 144/08**

made under the

**FISH AND WILDLIFE CONSERVATION ACT, 1997**

Made: May 14, 2008

Filed: May 15, 2008

Published on e-Laws: May 16, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending O. Reg. 665/98  
(Hunting)

Note: Ontario Regulation 665/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Clause 26 (4) (a) of Ontario Regulation 665/98 is revoked and the following substituted:**



- (a) who hunts small game or wild turkey;

**2. Part VI of the Regulation is amended by adding the following section:**

**31.1** In this Part,

“licence to hunt wild turkey – fall” means a licence to hunt wild turkey during the open season specified in Item 33 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act;

“licence to hunt wild turkey – spring” means a licence to hunt wild turkey during the open season specified in Item 32 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act.

**3. Subsection 32 (1) of the Regulation is revoked and the following substituted:**

- (1) The holder of a small game licence is authorized to hunt,

- (a) wild turkey with a beard during the open season specified in Item 32 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act if he or she also holds a licence to hunt wild turkey – spring; or
- (b) wild turkey with or without a beard during the open season specified in Item 33 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act if he or she also holds a licence to hunt wild turkey – fall.

**4. Section 33 of the Regulation is revoked and the following substituted:**

- 33.** (1) A person is not eligible to apply for and shall not possess in one year more than,

- (a) two licences to hunt wild turkey – spring; and
- (b) one licence to hunt wild turkey – fall.

(2) The holder of a licence to hunt wild turkey who has killed a wild turkey shall submit the information relating to the kill required by the Ministry, in the manner specified by the Ministry, no later than 12 noon on the day following the day the wild turkey was killed.

- (3) The holder of a licence to hunt wild turkey – spring,

- (a) shall not kill wild turkey, other than wild turkey with a beard; and
- (b) shall not kill more than one wild turkey.

(4) Despite clause (3) (b), the holder of a second licence to hunt wild turkey – spring may kill a second wild turkey.

(5) The holder of a licence to hunt wild turkey – fall shall not kill more than one wild turkey.

(6) The holder of a licence to hunt wild turkey shall not kill more than one wild turkey in a day.

**5. The Regulation is amended by adding the following section:**

**34.1** (1) In this section,

“bait” means corn, wheat, oats, other grain, pulse, any other feed that may attract wild turkey or any imitation of such feed.

- (2) A person shall not possess more than,

- (a) two wild turkeys killed during the open season specified in Item 32 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act; and
- (b) one wild turkey killed during the open season specified in Item 33 of Table 7 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act.

- (3) A person shall not hunt wild turkey,

- (a) using a live decoy;
- (b) using an electronic call; or
- (c) within 400 metres of any place where bait has been deposited unless the place has been free of bait for at least seven days.

- (4) For the purpose of clause (3) (c), the following areas are not places where bait has been deposited:

1. An area of standing crops, whether flooded or not.
2. Harvested crop land that is flooded,
3. An area where crops are properly stacked for the purposes of drying or storage in the field where they grow.
4. An area where grain is scattered solely as a result of normal agricultural or harvesting operations.

**6. This Regulation comes into force on the day it is filed.**

**ONTARIO REGULATION 145/08**

made under the

**FISH AND WILDLIFE CONSERVATION ACT, 1997**

Made: May 6, 2008

Filed: May 15, 2008

Published on e-Laws: May 16, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending O. Reg. 670/98

(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Table 7 of Ontario Regulation 670/98 is amended by adding the following item:**

33.	Wild Turkey	64, 67, 68, 73, 76, 77, 78, 81, 82, 84, 89, 90, 92, 93	From the Tuesday next following Thanksgiving to the second following Sunday, in any year.		As provided in Part VI of Ontario Regulation 665/98 (Hunting) made under the Act	As provided in Part VI of Ontario Regulation 665/98 (Hunting) made under the Act
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**2. This Regulation comes into force on the day it is filed.**

Made by:

DONNA H. CANSFIELD  
Minister of Natural Resources

Date made: May 6, 2008.

22/08

**ONTARIO REGULATION 146/08**

made under the

**PROVINCIAL OFFENCES ACT**

Made: May 14, 2008

Filed: May 16, 2008

Published on e-Laws: May 16, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Items 288 to 303 of Schedule 43 to Regulation 950 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:**

288.	Fail to establish system to periodically inspect and maintain commercial motor vehicles and drawn vehicles	subsection 107 (1)
289.	Fail to keep written record of system to periodically inspect and maintain commercial motor vehicles and drawn vehicles	subsection 107 (1)



290.	Fail to ensure periodic inspections and maintenance are carried out	subsection 107 (2)
291.	Fail to ensure performance standards are met	subsection 107 (3)
292.	Fail to supply driver with daily inspection schedule	clause 107 (4) (a)
293.	Fail to ensure daily inspection is conducted properly	clause 107 (4) (b)
294.	Fail to ensure under-vehicle inspection is conducted properly	clause 107 (4) (c)
295.	Fail to ensure daily inspection report is accurately completed	clause 107 (4) (d)
296.	Fail to ensure under-vehicle inspection report is accurately completed	clause 107 (4) (d)
297.	Fail to complete daily inspection report forthwith after inspection	subsection 107 (5)
298.	Fail to accurately complete daily inspection report	subsection 107 (5)
299.	Fail to complete under-vehicle inspection report forthwith after inspection	subsection 107 (5)
300.	Fail to accurately complete under-vehicle inspection report	subsection 107 (5)
301.	Fail to carry inspection schedule	subsection 107 (6)
302.	Fail to carry completed daily inspection report	subsection 107 (6)
303.	Fail to carry completed under-vehicle inspection report	subsection 107 (6)
303.1	Fail to surrender inspection schedule	subsection 107 (7)
303.2	Fail to surrender completed daily inspection report	subsection 107 (7)
303.3	Fail to surrender completed under-vehicle inspection report	subsection 107 (7)
303.4	Fail to enter defect in daily inspection report	clause 107 (8) (a)
303.5	Fail to report defect to operator	clause 107 (8) (b)
303.6	Fail to submit completed daily inspection report to operator	clause 107 (8) (c)
303.7	Fail to submit completed under-vehicle inspection report to operator	clause 107 (8) (c)
303.8	Drive commercial motor vehicle without required inspection	subsection 107 (9)
303.9	Drive commercial motor vehicle with a major defect in it or in drawn vehicle	subsection 107 (11)
303.10	Improperly drive commercial motor vehicle with a minor defect in it or in drawn vehicle	subsection 107 (12)
303.11	Fail to maintain books and records	subsection 107 (13)
303.12	Fail to produce books and records	subsection 107 (13)

2. This Regulation comes into force on the day it is filed.

## RÈGLEMENT DE L'ONTARIO 146/08

pris en application de la

### LOI SUR LES INFRACTIONS PROVINCIALES

pris le 14 mai 2008

déposé le 16 mai 2008

publié sur le site Lois-en-ligne le 16 mai 2008

imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Les numéros 288 à 303 de l'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :

288.	Omettre d'établir un système pour procéder à l'inspection et à l'entretien périodiques de véhicules utilitaires et de véhicules tractés	paragraphe 107 (1)
289.	Omettre de garder un dossier écrit du système établi pour procéder à l'inspection et à l'entretien périodiques de véhicules utilitaires et de véhicules tractés	paragraphe 107 (1)
290.	Omettre de veiller à ce que des inspections et entretiens périodiques soient effectués	paragraphe 107 (2)
291.	Omettre de veiller à ce qu'il soit satisfait aux normes de fonctionnement	paragraphe 107 (3)
292.	Omettre de remettre un calendrier d'inspection quotidienne à un conducteur	alinéa 107 (4) a)
293.	Omettre de veiller à ce qu'une inspection quotidienne soit effectuée correctement	alinéa 107 (4) b)



294.	Omettre de veiller à ce qu'une inspection du dessous du véhicule soit effectuée correctement	alinéa 107 (4) c)
295.	Omettre de veiller à l'exactitude des rapports d'inspection quotidienne	alinéa 107 (4) d)
296.	Omettre de veiller à l'exactitude des rapports d'inspection du dessous du véhicule	alinéa 107 (4) d)
297.	Omettre de préparer un rapport d'inspection quotidienne sans délai après une inspection	paragraphe 107 (5)
298.	Omettre de préparer un rapport d'inspection quotidienne qui soit exact	paragraphe 107 (5)
299.	Omettre de préparer un rapport d'inspection du dessous du véhicule sans délai après une inspection	paragraphe 107 (5)
300.	Omettre de préparer un rapport d'inspection du dessous du véhicule qui soit exact	paragraphe 107 (5)
301.	Omettre de porter un calendrier d'inspection	paragraphe 107 (6)
302.	Omettre de porter un rapport d'inspection quotidienne dûment préparé	paragraphe 107 (6)
303.	Omettre de porter un rapport d'inspection du dessous du véhicule dûment préparé	paragraphe 107 (6)
303.1	Omettre de remettre un calendrier d'inspection	paragraphe 107 (7)
303.2	Omettre de remettre un rapport d'inspection quotidienne dûment préparé	paragraphe 107 (7)
303.3	Omettre de remettre un rapport d'inspection du dessous du véhicule dûment préparé	paragraphe 107 (7)
303.4	Omettre d'inscrire une défectuosité dans un rapport d'inspection quotidienne	alinéa 107 (8) a)
303.5	Omettre de déclarer une défectuosité à un utilisateur	alinéa 107 (8) b)
303.6	Omettre de remettre un rapport d'inspection quotidienne dûment préparé à un utilisateur	alinéa 107 (8) c)
303.7	Omettre de remettre un rapport d'inspection du dessous du véhicule dûment préparé à un utilisateur	alinéa 107 (8) c)
303.8	Conduire un véhicule utilitaire qui n'a pas fait l'objet d'une inspection exigée	paragraphe 107 (9)
303.9	Conduire un véhicule utilitaire lorsque celui-ci ou un véhicule tracté présente une défectuosité majeure	paragraphe 107 (11)
303.10	Conduire de façon irrégulière un véhicule utilitaire lorsque celui-ci ou un véhicule tracté présente une défectuosité mineure	paragraphe 107 (12)
303.11	Omettre de tenir des livres et des dossiers	paragraphe 107 (13)
303.12	Omettre de produire des livres et des dossiers	paragraphe 107 (13)

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

22/08

**ONTARIO REGULATION 147/08**

made under the

**PROVINCIAL OFFENCES ACT**

Made: May 14, 2008

Filed: May 16, 2008

Published on e-Laws: May 16, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

- 1. Schedule 44 to Regulation 950 of the Revised Regulations of Ontario, 1990 is revoked.**
- 2. Items 33, 34, 35, 36, 37 and 38 of Schedule 55 to the Regulation are revoked.**
- 3. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 147/08**

pris en application de la

**LOI SUR LES INFRACTIONS PROVINCIALES**

pris le 14 mai 2008

déposé le 16 mai 2008

publié sur le site Lois-en-ligne le 16 mai 2008

imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. L'annexe 44 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est abrogée.
2. Les numéros 33, 34, 35, 36, 37 et 38 de l'annexe 55 du Règlement sont abrogés.
3. Le présent règlement entre en vigueur le jour de son dépôt.

22/08

**ONTARIO REGULATION 148/08**

made under the

**FRENCH LANGUAGE SERVICES ACT**

Made: May 14, 2008

Filed: May 16, 2008

Published on e-Laws: May 21, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending O. Reg. 398/93

(Designation of Public Service Agencies)

Note: Ontario Regulation 398/93 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Ontario Regulation 398/93 is amended by adding the following designations:**

Association canadienne-française de l'Ontario – Conseil régional des Mille-Îles (ACFO – Mille-Îles) but only in respect of the employment programs carried out by the Centre francophone de ressources à l'emploi on behalf of the Ministry of Training, Colleges and Universities.

Central Care Corporation: Centre de soins de longue durée Montfort/Montfort Long-Term Care Centre but only in respect of programs at the Centre carried out on behalf of the Ministry of Health and Long-Term Care.

Centre Passerelle pour femmes du Nord de l'Ontario in respect of the programs carried out on behalf of the Ministry of the Attorney General and the Ministry of Community and Social Services.

Collège Boréal d'arts appliqués et de technologie (Collège Boréal) in respect of the programs carried out on behalf of the Ministry of Training, Colleges and Universities.

Ottawa Salus Corporation but only in respect of community support, residential rehabilitation (Fisher and Crichton sites), community development (Athlone, Gladstone and MacLaren sites) and administrative services programs carried out on behalf of the Ministry of Health and Long-Term Care.

Sandy Hill Community Health Centre, Inc./Centre de santé communautaire Côte-de-Sable, inc. in respect of the programs carried out on behalf of the Ministry of Health and Long-Term Care.

**2. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 148/08**

pris en application de la

**LOI SUR LES SERVICES EN FRANÇAIS**

pris le 14 mai 2008

déposé le 16 mai 2008

publié sur le site Lois-en-ligne le 21 mai 2008

imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

modifiant le Règl. de l'Ont. 398/93

(Désignation d'organismes offrant des services publics)

Remarque : Le Règlement de l'Ontario 398/93 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. L'article 1 du Règlement de l'Ontario 398/93 est modifié par adjonction des désignations suivantes :**

Association canadienne-française de l'Ontario — Conseil régional des Mille-Îles (ACFO — Mille-Îles) mais seulement à l'égard des programmes d'emploi exécutés par le Centre francophone de ressources à l'emploi pour le compte du ministère de la Formation et des Collèges et Universités.

Central Care Corporation : Centre de soins de longue durée Montfort/Montfort Long-Term Care Centre mais seulement à l'égard des programmes exécutés au Centre pour le compte du ministère de la Santé et des Soins de longue durée.

Centre Passerelle pour femmes du Nord de l'Ontario à l'égard des programmes exécutés pour le compte du ministère du Procureur général et du ministère des Services sociaux et communautaires.

Collège Boréal d'arts appliqués et de technologie (Collège Boréal) à l'égard des programmes exécutés pour le compte du ministère de la Formation et des Collèges et Universités.

Ottawa Salus Corporation mais seulement à l'égard des programmes de soutien communautaire, de réadaptation en établissement (emplacements Fisher et Crichton), de développement communautaire (emplacements Athlone, Gladstone et MacLaren) et de services administratifs exécutés pour le compte du ministère de la Santé et des Soins de longue durée.

Sandy Hill Community Health Centre, Inc./Centre de santé communautaire Côte-de-Sable, Inc. à l'égard des programmes exécutés pour le compte du ministère de la Santé et des Soins de longue durée.

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

22/08

**ONTARIO REGULATION 149/08**

made under the

**LOAN AND TRUST CORPORATIONS ACT**

Made: May 14, 2008

Filed: May 16, 2008

Published on e-Laws: May 21, 2008

Printed in *The Ontario Gazette*: May 31, 2008**LOAN CORPORATION AND TRUST CORPORATION REGISTERS****Information**

1. (1) For the purposes of subsection 30 (3) of the Act, the following information shall be recorded by the Superintendent in the Loan Corporations Register and in the Trust Corporations Register:

1. The current address of the head office of each registered corporation.
2. The current telephone number of the head office of each registered corporation.
3. The name of the current president of each registered corporation.



(2) The information in the Registers shall be based on the records filed with the Superintendent.

**Revocation**

2. Regulation 733 of the Revised Regulations of Ontario, 1990 is revoked.

**Commencement**

3. This Regulation comes into force on the later of August 1, 2008 and the day this Regulation is filed.

**RÈGLEMENT DE L'ONTARIO 149/08**

pris en application de la

**LOI SUR LES SOCIÉTÉS DE PRÊT ET DE FIDUCIE**

pris le 14 mai 2008

déposé le 16 mai 2008

publié sur le site Lois-en-ligne le 21 mai 2008

imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

**REGISTRES DES SOCIÉTÉS DE PRÊT ET DES SOCIÉTÉS DE FIDUCIE****Renseignements**

1. (1) Pour l'application du paragraphe 30 (3) de la Loi, le surintendant inscrit les renseignements suivants dans le Registre des sociétés de prêt et le Registre des sociétés de fiducie :

1. L'adresse actuelle du siège social de chaque société inscrite.
2. Le numéro de téléphone actuel du siège social de chaque société inscrite.
3. Le nom du président actuel de chaque société inscrite.

(2) Les renseignements inscrits dans les registres se fondent sur les dossiers déposés auprès du surintendant.

**Abrogation**

2. Le Règlement 733 des Règlements refondus de l'Ontario de 1990 est abrogé.

**Entrée en vigueur**

3. Le présent règlement entre en vigueur le 1<sup>er</sup> août 2008 ou, s'il lui est postérieur, le jour de son dépôt.

22/08

**ONTARIO REGULATION 150/08**

made under the

**CORPORATIONS TAX ACT**

Made: May 14, 2008

Filed: May 16, 2008

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Printed in *The Ontario Gazette*: May 31, 2008

Amending Reg. 183 of R.R.O. 1990  
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) Paragraphs 12 and 12.1 of subsection 703 (2) of Regulation 183 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

12. Trans Canada Credit Corporation, for taxation years ending before January 1, 2005.

12.1 Trans Canada Retail Services Company, for taxation years ending after January 14, 2002 and before January 18, 2005.

**(2) Subsection 703 (2) of the Regulation is amended by adding the following paragraphs:**

30.0.1 Wells Fargo Financial Corporation Canada, for taxation years ending after December 31, 2004.

30.0.2 Wells Fargo Financial Retail Services Company, for taxation years ending after January 17, 2005.

**2. (1) Subsections 1201 (4) and (5) of the Regulation are revoked and the following substituted:**

(4) Subject to subsection (6), the qualifying wage amount of the qualifying corporation for a taxation year with respect to the eligible production is the sum of,

- (a) the amount incurred by it during the taxation year and after June 30, 1997 on account of salaries or wages that are directly attributable to eligible computer animation and special effects activities carried out by the qualifying corporation in Ontario for the eligible production; and
- (b) if principal photography for the eligible production commenced after March 22, 2007, the amount, if any, determined under subsection (5.2) in respect of the qualifying corporation and the eligible production for the taxation year.

(5) Subject to subsection (6), the qualifying remuneration amount of the qualifying corporation for a taxation year with respect to the eligible production is the sum of,

- (a) the amount determined under subsection (5.1); and
- (b) if principal photography for the eligible production commenced after March 22, 2007, the amount, if any, determined under subsection (5.2) in respect of the qualifying corporation and the eligible production for the taxation year.

(5.1) The amount determined under this subsection is the amount incurred during the taxation year and after May 4, 1999 that is directly attributable to eligible computer animation and special effects activities undertaken for the eligible production on behalf of the qualifying corporation, which is paid to any of the following persons or entities in the circumstances that are described:

- 1. An individual who is not an employee of the corporation and who deals at arm's length with the qualifying corporation, if the expenditure is attributable to activities personally undertaken by the individual.
- 2. An individual described in paragraph 1 for activities undertaken by the individual's employees, if the expenditure does not exceed the salaries and wages of those employees for personally undertaking those activities.
- 3. An eligible partnership described in subsection (7),
  - i. for activities personally undertaken by a member of the eligible partnership, or
  - ii. for activities personally undertaken by employees of the eligible partnership, if the expenditure does not exceed the salaries and wages of those employees for personally undertaking those activities.

(5.2) The amount determined under this subsection in respect of the eligible production and the qualifying corporation for a taxation year is the amount of the reimbursement made by the qualifying corporation to another taxable Canadian corporation (in this subsection referred to as the "parent") of an expenditure that was previously incurred by the parent in respect of the eligible production if all of the following conditions are met:

- 1. The qualifying corporation is a wholly-owned subsidiary of the parent.
- 2. The qualifying corporation and the parent have filed with the Minister an agreement that this subsection applies in respect of the eligible production.
- 3. The reimbursement is made by the qualifying corporation in the taxation year or within 60 days after the end of the taxation year.
- 4. If the amount is being determined for the purposes of clause (4) (b), the expenditure was incurred in a particular taxation year of the parent and would have been included in the qualifying wage amount of the qualifying corporation in respect of the eligible production for the particular taxation year because of clause (4) (a),
  - i. if the qualifying corporation had had that particular taxation year, and
  - ii. if the expenditure had been incurred by the qualifying corporation for the same purpose as it was incurred by the parent and had been paid at the same time and to the same person or partnership as it was by the parent.
- 5. If the amount is being determined for the purpose of clause (5) (b), the expenditure was incurred in a particular taxation year of the parent and would have been included in the qualifying remuneration amount of the qualifying corporation in respect of the eligible production for the particular taxation year because of clause (5) (a),
  - i. if the qualifying corporation had had that particular taxation year, and



ii. if the expenditure had been incurred by the qualifying corporation for the same purpose as it was incurred by the parent and had been paid at the same time and to the same person or partnership as it was by the parent.

(2) Subsection 1201 (6) of the Regulation is amended by adding the following paragraph:

5. The expenditure is not the subject of an agreement in respect of the eligible production referred to in paragraph 2 of subsection (5.2) between the qualifying corporation and a wholly-owned subsidiary of the qualifying corporation.

3. (1) Subject to subsections (2) and (3), this Regulation comes into force on the day it is filed.

(2) Section 1 is deemed to have come into force on January 1, 2005.

(3) Section 2 is deemed to have come into force on March 22, 2007.

22/08

## ONTARIO REGULATION 151/08

made under the

### COURTS OF JUSTICE ACT

Made: April 28, 2008

Approved: May 16, 2008

Filed: May 16, 2008

Published on e-Laws: May 21, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending O. Reg. 114/99

(Family Law Rules)

Note: Ontario Regulation 114/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Subrule 8 (2) of Ontario Regulation 114/99 is revoked and the following substituted:

#### CHANGE TO FINAL ORDER OR AGREEMENT

(2) Subject to subrule 25 (19) (changing order — fraud, mistake, lack of notice), a party who wants to ask the court to change a final order or an agreement for support filed under section 35 of the *Family Law Act* may do so only by a motion under rule 15 (if permitted to do so by that rule).

#### EXCEPTION

(2.1) Despite subrule (2), if a party who wants to ask the court to change a final order or agreement to which rule 15 applies also wants to make one or more related claims to which rule 15 does not apply, the party may file an application under subrule (1) to deal with the request for a change together with the related claim or claims and, in that case, subrules 15 (11) to (13) apply with necessary modifications to the request.

2. (1) Subrule 13 (1) of the Regulation is amended by striking out “notice of motion” in the portion before clause (a) and substituting “motion”.

(2) Clause 13 (1) (b) of the Regulation is amended by striking out “affidavit in response to the motion” wherever it appears and substituting in each case “affidavit or other document responding to the motion”.

(3) Subrules 13 (1.1), (1.2) and (1.3) of the Regulation are amended by striking out “notice of motion” wherever it appears and substituting in each case “motion”.

(4) The French version of subrule 13 (1.3) of the Regulation is amended by striking out “la réponse” and substituting “la défense”.

(5) Subrule 13 (3) of the Regulation is amended by striking out “notice of motion” and substituting “motion”.

(6) Subrule 13 (4) of the Regulation is revoked and the following substituted:

#### FINANCIAL STATEMENT WITH MOTION TO CHANGE TEMPORARY SUPPORT ORDER

(4) Subject to subrule (1.3), the following requirements apply if a motion contains a request for a change in a temporary support order:



1. The party making the motion shall serve and file a financial statement (Form 13 or 13.1) with the notice of motion.
2. The party responding to the motion shall serve and file a financial statement as soon as possible after being served with the notice of motion, but in any event no later than two days before the motion date. Any affidavit in response to the motion shall be served and filed at the same time as the financial statement.

#### **EXCEPTION — BY CONSENT**

(4.1) Parties to a consent motion to change a temporary support order do not need to serve and file financial statements if they file a consent agreeing not to serve and file them.

#### **FINANCIAL STATEMENT WITH MOTION TO CHANGE FINAL SUPPORT ORDER OR SUPPORT AGREEMENT**

(4.2) Subject to subrule (1.3), the following rules apply if a motion is made under rule 15 requesting a change to a final support order or a support agreement:

1. The party making the motion shall serve and file a financial statement (Form 13 or 13.1) with the motion to change (Form 15).
2. The party responding to the motion shall serve and file a financial statement within the time for serving and filing the response to motion to change (Form 15B) or returning the consent motion to change (Form 15C) to the party making the motion, as set out in subrule 15 (10). Any response to motion to change (Form 15B) shall be served and filed at the same time as the financial statement.
3. Parties who bring the motion by filing a consent motion to change (Form 15C) shall each file a financial statement with the form, unless they indicate in the form that they agree not to do so.
4. Parties who bring the motion by filing a consent motion to change child support (Form 15D) do not need to serve or file financial statements.

#### **FINANCIAL STATEMENT REQUIRED BY RESPONSE**

(4.3) Subrule (4) or (4.2), as the case may be, applies with necessary modifications if a party makes a motion to change an order or agreement for which the party is not required by this rule to file a financial statement, and the party responding to the motion requests a change to a support order or support agreement.

(7) Subrule 13 (5) of the Regulation is amended by striking out “subrule (4)” at the end and substituting “subrule (4) or (4.2)”.

(8) Subrule 13 (9) of the Regulation is revoked.

(9) Subrule 13 (10) of the Regulation is revoked and the following substituted:

#### **DOCUMENTS NOT TO BE FILED WITHOUT FINANCIAL STATEMENT**

(10) The clerk shall not accept a document for filing without a financial statement if these rules require the document to be filed with a financial statement.

3. Clause 14 (6) (a) of the Regulation is amended by striking out “subrule 15 (14)” and substituting “subrule 25 (19)”.

4. Rule 15 of the Regulation is revoked and the following substituted:

#### **RULE 15: MOTIONS TO CHANGE A FINAL ORDER OR AGREEMENT**

##### **DEFINITION**

15. (1) In this rule,

“assignee” means an agency or person to whom a support order or agreement that is the subject of a motion under this rule is assigned under the *Family Law Act* or the *Divorce Act* (Canada).

##### **APPLICATION**

- (2) Subject to subrule (3), this rule only applies to a motion to change,
  - (a) a final order; or
  - (b) an agreement for support filed under section 35 of the *Family Law Act*.

##### **EXCEPTION**

(3) This rule does not apply to a motion or application to change an order made under the *Child and Family Services Act*, other than a final order made under section 57.1 of that Act.

**PLACE OF MOTION**

(4) Rule 5 (where a case starts) applies to a motion to change a final order or agreement as if the motion were a new case.

**MOTION TO CHANGE**

(5) Subject to subrules (17) and (18), a party who wants to ask the court to change a final order or agreement shall serve and file,

- (a) a motion to change (Form 15); and
- (b) a change information form (Form 15A), with all required attachments.

**SERVICE TO INCLUDE BLANK FORMS**

(6) The party making the motion shall serve on the other party a blank response to motion to change (Form 15B) and a blank consent motion to change (Form 15C) together with the documents referred to in subrule (5).

**SPECIAL SERVICE**

(7) The documents referred to in subrules (5) and (6) shall be served by special service (subrule 6 (3)), and not by regular service.

**EXCEPTION**

(8) Despite subrule (7), service on the persons mentioned in subrule 8 (6) (officials, agencies, etc.) may be made by regular service.

**RESPONSE OR CONSENT TO MOTION**

(9) The following rules apply to a party who is served with a motion to change a final order or agreement:

1. If the party does not agree to the change or if the party wants to ask the court to make an additional or a different change to the final order or agreement, the party shall serve and file a response to motion to change (Form 15B), with all required attachments, within the time set out in clause (10) (a) or (b), as the case may be.
2. If the party agrees to the change or if the parties agree to a different change, the party shall complete the applicable portions of the consent motion to change (Form 15C) and shall, within the time set out in clause (10) (a) or (b), as the case may be,
  - i. return a signed copy of the consent motion to change to the party making the motion, and
  - ii. provide a copy of the signed consent motion to change to the assignee, if any.

**SAME**

(10) The documents referred to in paragraphs 1 and 2 of subrule (9) shall be served and filed or returned and provided,

- (a) no later than 30 days after the party responding to the motion receives the motion to change and the supporting documents, if that party resides in Canada or the United States of America; or
- (b) no later than 60 days after the party responding to the motion receives the motion to change and the supporting documents, in any other case.

**SERVICE ON ASSIGNEE REQUIRED**

(11) In a motion to change a final order or agreement that has been assigned to an assignee, a party shall, in serving documents under subrule (5) or paragraph 1 of subrule (9), serve the documents on the assignee as if the assignee were also a party.

**ASSIGNEE MAY BECOME PARTY**

(12) On serving and filing a notice claiming a financial interest in the motion, an assignee becomes a respondent to the extent of the financial interest.

**SANCTIONS IF ASSIGNEE NOT SERVED**

(13) If an assignee is not served as required by subrule (11), the following rules apply:

1. The court may at any time, on motion by the assignee with notice to the other parties, set aside the changed order to the extent that it affects the assignee's financial interest.
2. The party who asked for the change has the burden of proving that the changed order should not be set aside.
3. If the changed order is set aside, the assignee is entitled to full recovery of its costs of the motion to set aside, unless the court orders otherwise.



**NO RESPONSE OR CONSENT, OR RESPONSE STRUCK OUT**

(14) If a party does not serve and file a response to motion to change (Form 15B) or return a consent motion to change (Form 15C) to the party making the motion as required under subrule (9), or if the party's response is struck out by an order,

- (a) the party is not entitled to any further notice of steps in the case, except as subrule 25 (13) (service of order) provides;
- (b) the party is not entitled to participate in the case in any way; and
- (c) the court may deal with the case in the party's absence.

**SAME, REQUEST FOR ORDER**

(15) If subrule (14) applies, the party making the motion to change may file a motion form (Form 14B) asking that the court make the order requested in the materials filed by the party, unless an assignee has filed a notice of financial interest in the motion and opposes the change.

**CONSENT TO MOTION**

(16) If a party returns to the party making the motion a consent motion to change (Form 15C) in accordance with subparagraph 2 i of subrule (9), the party making the motion shall complete and file the consent motion to change and, unless any assignee refuses to consent to the change being requested, the party making the motion shall file with the consent motion to change,

- (a) a motion form (Form 14B) asking that the court make the order described in the consent motion to change;
- (b) five copies of a draft order;
- (c) a stamped envelope addressed to each party and to the assignee, if any; and
- (d) if the order that is agreed on relates in whole or in part to a support obligation,
  - (i) a support deduction order information form prescribed under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, and
  - (ii) a draft support deduction order.

**MOTION TO CHANGE ON CONSENT**

(17) Subject to subrule (18), if the parties to a final order or agreement want to ask the court to change the final order or agreement and the parties and any assignee agree to the change, the parties shall file,

- (a) a change information form (Form 15A), with all required attachments;
- (b) a consent motion to change (Form 15C);
- (c) a motion form (Form 14B) asking that the court make the order described in the consent motion to change;
- (d) five copies of a draft order;
- (e) a stamped envelope addressed to each party and to the assignee, if any; and
- (f) if the order that is agreed on relates in whole or in part to a support obligation,
  - (i) a support deduction order information form prescribed under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, and
  - (ii) a draft support deduction order.

**MOTION TO CHANGE ON CONSENT — CHILD SUPPORT ONLY**

(18) If the parties to a final order or agreement want to ask the court to change the final order or agreement in relation only to a child support obligation, and the parties and any assignee agree to the change, the parties shall file,

- (a) a consent motion to change child support (Form 15D), with all required attachments;
- (b) five copies of a draft order;
- (c) a stamped envelope addressed to each party and to the assignee, if any;
- (d) a support deduction order information form prescribed under the *Family Responsibility and Support Arrears Enforcement Act, 1996*; and
- (e) a draft support deduction order.

**CONSENT AFTER RESPONSE FILED**

(19) If, at any time after a party has served and filed a response under paragraph 1 of subrule (9) and before the motion to change is heard, the parties and any assignee agree to an order that changes the final order or agreement that is the subject of the motion, the parties may proceed on consent by filing,



- (a) a consent motion to change (Form 15C);
- (b) a motion form (Form 14B) asking that the court make the order described in the consent motion to change;
- (c) five copies of a draft order;
- (d) a stamped envelope addressed to each party and to the assignee, if any; and
- (e) if the order that is agreed on relates in whole or in part to a support obligation,
  - (i) a support deduction order information form prescribed under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, and
  - (ii) a draft support deduction order.

#### **ORDER, AGREEMENT TO BE ATTACHED**

(20) A copy of any existing order or agreement that deals with custody, access or support shall be attached to every change information form (Form 15A) or consent motion to change child support (Form 15D).

#### **CHANGE NOT IN ACCORDANCE WITH CHILD SUPPORT GUIDELINES**

(21) Unless a motion to change a child support order or agreement is proceeding on the consent of the parties and any assignee, if a party asks that an order be made under this rule that is not in accordance with the tables in the applicable child support guidelines, the support recipient and the support payor shall each serve and file the evidence required by the following sections of the applicable child support guidelines, or the evidence that is otherwise necessary to satisfy the court that it should make the order asked for:

1. Section 4 (income over \$150,000).
2. Section 5 (step-parent).
3. Section 7 (special expenses).
4. Section 8 (split custody).
5. Section 9 (shared custody).
6. Section 10 (undue hardship).
7. Section 21 (income and financial information).

#### **AFFIDAVIT MAY BE FILED**

(22) A party or parties who want to ask the court to change a final order or agreement may, instead of using a change information form (Form 15A), use an affidavit containing evidence necessary to satisfy the court that it should make the order asked for and, in that case, these rules apply to the affidavit as if it were a change information form.

#### **SAME**

(23) A party who responds to a motion to change a final order or agreement by serving and filing a response to motion to change (Form 15B) may use an affidavit to provide evidence supporting his or her position instead of relying on the relevant portions of the form to provide the evidence or in addition to those portions of the form and, in that case, the affidavit is deemed to be part of the form.

#### **REQUIREMENTS FOR AFFIDAVIT**

(24) Subrules 14 (18) and (19) apply with necessary modifications to an affidavit provided in accordance with subrule (22) or (23).

#### **POWERS OF COURT — MOTION ON CONSENT OR UNOPPOSED**

(25) If a motion to change a final order or agreement proceeds on the consent of the parties and any assignee or is unopposed, the clerk shall present the filed materials to a judge and the judge may,

- (a) make the order asked for;
- (b) require one or both parties to file further material; or
- (c) require one or both parties to come to court.

#### **POWERS OF COURT — DIRECTIONS**

(26) If the court is of the opinion that a motion, whether proceeding on consent or not, cannot be properly dealt with because of the material filed, because of the matters in dispute or for any other reason, the court may give directions, including directions for a trial.

**POWERS OF COURT — RULE 14**

(27) Subrules 14 (21), (22) and (23) apply with necessary modifications to a motion to change a final order or agreement.

**MOTION UNDER RULE 14**

(28) A motion under rule 14 may be made on a motion to change a final order or agreement.

**ACCESS TO LISTED DOCUMENTS**

(29) Subrule 19 (2) (access to listed documents) applies with necessary modifications to a document mentioned in a form or affidavit used under this rule.

**5. (1) Subrule 17 (3) of the Regulation is revoked and the following substituted:**

**MOTIONS TO CHANGE FINAL ORDER OR AGREEMENT**

(3) Subrule (1) applies, with necessary changes, to a motion to change a final order or agreement under rule 15, unless the motion is proceeding on the consent of the parties and any assignee or is unopposed.

**(2) Subrule 17 (11) of the Regulation is revoked.**

**6. Rule 25 of the Regulation is amended by adding the following subrules:**

**CHANGING ORDER — FRAUD, MISTAKE, LACK OF NOTICE**

(19) The court may, on motion, change an order that,

(a) was obtained by fraud;

(b) contains a mistake;

(c) needs to be changed to deal with a matter that was before the court but that it did not decide;

(d) was made without notice; or

(e) was made with notice, if an affected party was not present when the order was made because the notice was inadequate or the party was unable, for a reason satisfactory to the court, to be present.

**SAME**

(20) Rule 14 applies with necessary modifications to a motion to change a final order under subrule (19) and, for the purpose, clause 14 (6) (a) shall be read as if the reference to a temporary order were a reference to a final order.

**7. (1) Clause 39 (5) (c) of the Regulation is amended by striking out “or if an affidavit has been filed in response to a motion to change a final order or agreement” and substituting “or if a response to motion to change (Form 15B) or a notice of financial interest has been filed in a motion to change a final order or agreement under rule 15”.**

**(2) Clause 39 (5) (e) of the Regulation is revoked and the following substituted:**

(e) if no response to motion to change (Form 15B), consent motion to change (Form 15C) or notice of financial interest is filed in response to a motion to change a final order or agreement under rule 15, send the case to a judge for a decision on the basis of the evidence filed in the motion.

**8. (1) Clause 40 (4) (c) of the Regulation is amended by striking out “or if an affidavit has been filed in response to a motion to change a final order or agreement” and substituting “or if a response to motion to change (Form 15B) or a notice of financial interest has been filed in a motion to change a final order or agreement under rule 15”.**

**(2) Clause 40 (4) (e) of the Regulation is revoked and the following substituted:**

(e) if no response to motion to change (Form 15B), consent motion to change (Form 15C) or notice of financial interest is filed in response to a motion to change a final order or agreement under rule 15, send the case to a judge for a decision on the basis of the evidence filed in the motion.

**9. Subrule 42 (11) of the Regulation is revoked.**

**10. The Table of Forms to the Regulation is amended by striking out,**

15	Change information form (motion to change child support)	September 1, 2005
15A	Consent (motion to change child support)	September 1, 2005



and substituting,

15	Motion to change	April 1, 2008
15A	Change information form	April 1, 2008
15B	Response to motion to change	April 1, 2008
15C	Consent motion to change	April 1, 2008
15D	Consent motion to change child support	April 1, 2008

11. This Regulation comes into force on September 1, 2008.

## RÈGLEMENT DE L'ONTARIO 151/08

pris en application de la

### LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 28 avril 2008

approuvé le 16 mai 2008

déposé le 16 mai 2008

publié sur le site Lois-en-ligne le 21 mai 2008

imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

modifiant le Règl. de l'Ont. 114/99

(Règles en matière de droit de la famille)

Remarque : Le Règlement de l'Ontario 114/99 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Le paragraphe 8 (2) du Règlement de l'Ontario 114/99 est abrogé et remplacé par ce qui suit :

#### MODIFICATION D'UNE ORDONNANCE DÉFINITIVE OU D'UN ACCORD

(2) Sous réserve du paragraphe 25 (19) (modification de l'ordonnance — fraude, erreur, absence de préavis), la partie qui désire demander au tribunal de modifier une ordonnance définitive ou un accord à l'égard des aliments déposé en vertu de l'article 35 de la *Loi sur le droit de la famille* ne peut le faire qu'au moyen d'une motion présentée aux termes de la règle 15, si cette règle le permet.

#### EXCEPTION

(2.1) Malgré le paragraphe (2), si la partie qui désire demander au tribunal de modifier une ordonnance définitive ou un accord auquel la règle 15 s'applique désire également présenter une ou plusieurs demandes connexes auxquelles la règle 15 ne s'applique pas, elle peut déposer une requête en application du paragraphe (1) pour que la demande de modification soit traitée avec la ou les demandes connexes, auquel cas les paragraphes 15 (11) à (13) s'appliquent à cette demande avec les adaptations nécessaires.

2. (1) Le paragraphe 13 (1) du Règlement est modifié par substitution de «une motion» à «un avis de motion» dans le passage qui précède l'alinéa a).

(2) L'alinéa 13 (1) b) du Règlement est modifié par substitution de «un affidavit ou autre document en réponse à la motion» à «un affidavit en réponse à la motion» partout où figurent ces mots.

(3) Les paragraphes 13 (1.1), (1.2) et (1.3) du Règlement sont modifiés par substitution de «la motion» à «l'avis de motion» partout où figurent ces mots.

(4) La version française du paragraphe 13 (1.3) du Règlement est modifiée par substitution de «la défense» à «la réponse».

(5) Le paragraphe 13 (3) du Règlement est modifié par substitution de «une motion» à «un avis de motion».

(6) Le paragraphe 13 (4) du Règlement est abrogé et remplacé par ce qui suit :

#### ÉTAT FINANCIER JOINT À UNE MOTION EN MODIFICATION D'UNE ORDONNANCE ALIMENTAIRE TEMPORAIRE

(4) Sous réserve du paragraphe (1.3), les exigences suivantes s'appliquent si une motion comporte une demande de modification d'une ordonnance alimentaire temporaire :



1. L'auteur de la motion signifie et dépose un état financier (formule 13 ou 13.1) avec l'avis de motion.
2. La partie qui répond à la motion signifie et dépose un état financier dès que possible après que l'avis de motion lui est signifié, mais dans tous les cas au plus tard deux jours avant la date d'audition de la motion. Tout affidavit en réponse à la motion est signifié et déposé en même temps que l'état financier.

#### **EXCEPTION — SUR CONSENTEMENT**

(4.1) Les parties à une motion en modification sur consentement d'une ordonnance alimentaire temporaire ne sont pas tenues de signifier et de déposer des états financiers si elles déposent un consentement dans lequel elles conviennent de ne pas le faire.

#### **ÉTAT FINANCIER JOINT À UNE MOTION EN MODIFICATION D'UNE ORDONNANCE ALIMENTAIRE DÉFINITIVE OU D'UN ACCORD RELATIF AUX ALIMENTS**

(4.2) Sous réserve du paragraphe (1.3), les règles suivantes s'appliquent s'il est présenté, aux termes de la règle 15, une motion en modification d'une ordonnance alimentaire définitive ou d'un accord relatif aux aliments :

1. L'auteur de la motion signifie et dépose un état financier (formule 13 ou 13.1) avec la motion en modification (formule 15).
2. La partie qui répond à la motion signifie et dépose un état financier dans le délai prévu pour signifier et déposer la réponse à la motion en modification (formule 15B) ou pour retourner la motion en modification sur consentement (formule 15C) à l'auteur de la motion, comme il est énoncé au paragraphe 15 (10). Toute réponse à la motion en modification (formule 15B) est signifiée et déposée en même temps que l'état financier.
3. Les parties qui présentent la motion en déposant une motion en modification sur consentement (formule 15C) déposent chacune un état financier avec la formule, à moins d'y indiquer qu'elles conviennent de ne pas le faire.
4. Les parties qui présentent la motion en déposant une motion en modification des aliments pour les enfants sur consentement (formule 15D) ne sont pas tenues de signifier ou de déposer des états financiers.

#### **ÉTAT FINANCIER EXIGÉ PAR LA PARTIE QUI RÉPOND**

(4.3) Le paragraphe (4) ou (4.2), selon le cas, s'applique avec les adaptations nécessaires si une partie présente une motion en modification d'une ordonnance ou d'un accord pour laquelle elle n'est pas tenue, aux termes de la présente règle, de déposer un état financier, et que la partie qui répond à la motion demande qu'une modification soit apportée à une ordonnance alimentaire ou à un accord relatif aux aliments.

(7) Le paragraphe 13 (5) du Règlement est modifié par substitution de «paragraphe (4) ou (4.2)» à «paragraphe (4)» à la fin du paragraphe.

(8) Le paragraphe 13 (9) du Règlement est abrogé.

(9) Le paragraphe 13 (10) du Règlement est abrogé et remplacé par ce qui suit :

#### **DÉPÔT DES DOCUMENTS REFUSÉ SANS ÉTAT FINANCIER**

(10) Le greffier ne doit pas accepter le dépôt d'un document sans état financier si les présentes règles exigent que le document soit déposé avec un état financier.

3. L'alinéa 14 (6) a) du Règlement est modifié par substitution de «paragraphe 25 (19)» à «paragraphe 15 (14)».

4. La règle 15 du Règlement est abrogée et remplacée par ce qui suit :

#### **RÈGLE 15 : MOTIONS EN MODIFICATION D'UNE ORDONNANCE DÉFINITIVE OU D'UN ACCORD**

##### **DÉFINITION**

15. (1) La définition qui suit s'applique à la présente règle.

«cessionnaire» Organisme ou personne auxquels une ordonnance alimentaire ou un accord relatif aux aliments qui fait l'objet d'une motion visée à la présente règle est cédé en vertu de la *Loi sur le droit de la famille* ou de la *Loi sur le divorce* (Canada).

##### **CHAMP D'APPLICATION**

(2) Sous réserve du paragraphe (3), la présente règle ne s'applique qu'aux motions en modification de l'un ou l'autre des documents suivants :

- a) une ordonnance définitive;
- b) un accord relatif aux aliments déposé en vertu de l'article 35 de la *Loi sur le droit de la famille*.

**EXCEPTION**

(3) La présente règle ne s'applique pas à une motion ou à une requête en modification d'une ordonnance rendue en vertu de la *Loi sur les services à l'enfance et à la famille*, autre qu'une ordonnance définitive rendue en vertu de l'article 57.1 de cette loi.

**LIEU D'AUDITION DE LA MOTION**

(4) La règle 5 (lieu où une cause est introduite) s'applique à une motion en modification d'une ordonnance définitive ou d'un accord comme si la motion était une nouvelle cause.

**MOTION EN MODIFICATION**

(5) Sous réserve des paragraphes (17) et (18), la partie qui désire demander au tribunal de modifier une ordonnance définitive ou un accord signifie et dépose ce qui suit :

- a) une motion en modification (formule 15);
- b) une formule de renseignements visant une modification (formule 15A) avec toutes les pièces qui doivent y être jointes.

**SIGNIFICATION DE FORMULES EN BLANC**

(6) L'auteur de la motion signifie à l'autre partie une formule en blanc de réponse à la motion en modification (formule 15B) et une formule en blanc de motion en modification sur consentement (formule 15C) accompagnées des documents visés au paragraphe (5).

**SIGNIFICATION SPÉCIALE**

(7) Les documents visés aux paragraphes (5) et (6) sont signifiés par voie de signification spéciale (paragraphe 6 (3)) et non par voie de signification ordinaire.

**EXCEPTION**

(8) Malgré le paragraphe (7), la signification aux personnes mentionnées au paragraphe 8 (6) (fonctionnaires publics, organismes et autres personnes) peut être faite par voie de signification ordinaire.

**RÉPONSE OU CONSENTEMENT À UNE MOTION**

(9) Les règles suivantes s'appliquent à la partie à laquelle est signifiée une motion en modification d'une ordonnance définitive ou d'un accord :

1. Si elle n'accepte pas la modification ou qu'elle désire demander au tribunal d'apporter une modification supplémentaire ou différente à l'ordonnance définitive ou à l'accord, la partie signifie et dépose une réponse à la motion en modification (formule 15B), avec toutes les pièces qui doivent y être jointes, dans le délai fixé à l'alinéa (10) a) ou b), selon le cas.
2. Si elle accepte la modification ou si les parties conviennent d'une modification différente, la partie remplit les parties applicables de la motion en modification sur consentement (formule 15C) et, dans le délai fixé à l'alinéa (10) a) ou b), selon le cas :
  - i. d'une part, retourne une copie signée de la motion en modification sur consentement à l'auteur de la motion,
  - ii. d'autre part, fournit une copie de la motion en modification sur consentement signée au cessionnaire, le cas échéant.

**IDEM**

(10) Les documents visés aux dispositions 1 et 2 du paragraphe (9) sont signifiés et déposés ou retournés et fournis :

- a) au plus tard 30 jours après que la partie qui répond à la motion a reçu la motion en modification et les documents justificatifs, si cette partie réside au Canada ou aux États-Unis d'Amérique;
- b) au plus tard 60 jours après que la partie qui répond à la motion a reçu la motion en modification et les documents justificatifs, dans les autres cas.

**SIGNIFICATION OBLIGATOIRE AU CESSIONNAIRE**

(11) Dans une motion en modification d'une ordonnance définitive ou d'un accord qui a été cédé à un cessionnaire, la partie signifie à ce dernier, comme s'il était une partie, les documents visés au paragraphe (5) ou à la disposition 1 du paragraphe (9).

**CESSIONNAIRE COMME PARTIE**

(12) Le cessionnaire qui signifie et dépose un avis dans lequel il revendique un intérêt financier dans la motion devient un intimé dans la mesure de son intérêt.



**SANCTIONS EN L'ABSENCE DE SIGNIFICATION AU CESSIONNAIRE**

(13) Si un cessionnaire ne reçoit pas signification comme l'exige le paragraphe (11), les règles suivantes s'appliquent :

1. Le tribunal peut, sur motion du cessionnaire présentée avec préavis aux autres parties, annuler l'ordonnance modifiée dans la mesure où elle a une incidence sur l'intérêt financier du cessionnaire.
2. Il incombe à la partie qui a demandé la modification de prouver que l'ordonnance modifiée ne devrait pas être annulée.
3. En cas d'annulation de l'ordonnance modifiée, le cessionnaire a droit, sauf ordonnance contraire du tribunal, au recouvrement intégral des frais qu'il a engagés relativement à la motion en annulation.

**ABSENCE DE RÉPONSE OU DE CONSENTEMENT, OU RADIATION DE LA RÉPONSE**

(14) Si une partie ne signifie ni ne dépose de réponse à la motion en modification (formule 15B) ou ne retourne une motion en modification sur consentement (formule 15C) à l'auteur de la motion comme l'exige le paragraphe (9) ou si sa réponse est radiée par une ordonnance :

- a) la partie n'a pas droit à d'autre préavis des étapes de la cause, sous réserve du paragraphe 25 (13) (signification de l'ordonnance);
- b) la partie n'a pas le droit de prendre part à la cause de quelque façon que ce soit;
- c) le tribunal peut traiter la cause en l'absence de la partie.

**IDEM : DEMANDE D'ORDONNANCE**

(15) Si le paragraphe (14) s'applique, l'auteur de la motion en modification peut déposer une formule de motion (formule 14B) dans laquelle il demande que le tribunal rende l'ordonnance demandée dans les documents qu'il a déposés, à moins qu'un cessionnaire n'ait déposé un avis dans lequel il revendique un intérêt financier dans la motion et ne s'oppose à la modification.

**CONSENTEMENT À LA MOTION**

(16) Si une partie retourne une motion en modification sur consentement (formule 15C) à l'auteur de la motion conformément à la sous-disposition 2 i du paragraphe (9), l'auteur de la motion remplit et dépose la motion en modification sur consentement et, à moins que tout cessionnaire ne refuse de consentir à la modification demandée, dépose, avec la motion en modification sur consentement, ce qui suit :

- a) une formule de motion (formule 14B) dans laquelle il est demandé que le tribunal rende l'ordonnance visée dans la motion en modification sur consentement;
- b) cinq copies d'un projet d'ordonnance;
- c) une enveloppe affranchie adressée à chaque partie et au cessionnaire, le cas échéant;
- d) si l'ordonnance dont il est convenu porte en tout ou en partie sur une obligation alimentaire :
  - (i) d'une part, une formule de renseignements sur l'ordonnance de retenue des aliments prescrite aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*,
  - (ii) d'autre part, un projet d'ordonnance de retenue des aliments.

**MOTION EN MODIFICATION SUR CONSENTEMENT**

(17) Sous réserve du paragraphe (18), si les parties à une ordonnance définitive ou à un accord veulent demander au tribunal de modifier l'ordonnance définitive ou l'accord et que les parties et tout cessionnaire conviennent de la modification, les parties déposent ce qui suit :

- a) une formule de renseignements visant une modification (formule 15A) avec toutes les pièces qui doivent y être jointes;
- b) une motion en modification sur consentement (formule 15C);
- c) une formule de motion (formule 14B) dans laquelle il est demandé au tribunal de rendre l'ordonnance visée dans la motion en modification sur consentement;
- d) cinq copies d'un projet d'ordonnance;
- e) une enveloppe affranchie adressée à chaque partie et au cessionnaire, le cas échéant;
- f) si l'ordonnance dont il est convenu porte en tout ou en partie sur une obligation alimentaire :
  - (i) d'une part, une formule de renseignements sur l'ordonnance de retenue des aliments prescrite aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*,
  - (ii) d'autre part, un projet d'ordonnance de retenue des aliments.



**MOTION EN MODIFICATION SUR CONSENTEMENT — ALIMENTS POUR LES ENFANTS SEULEMENT**

(18) Si les parties à une ordonnance définitive ou à un accord veulent demander au tribunal de modifier l'ordonnance définitive ou l'accord uniquement en ce qui concerne l'obligation alimentaire à l'égard des enfants, et que les parties et tout cessionnaire conviennent de la modification, les parties déposent ce qui suit :

- a) une motion en modification des aliments pour les enfants sur consentement (formule 15D) avec toutes les pièces qui doivent y être jointes;
- b) cinq copies d'un projet d'ordonnance;
- c) une enveloppe affranchie adressée à chaque partie et au cessionnaire, le cas échéant;
- d) une formule de renseignements sur l'ordonnance de retenue des aliments prescrite aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*;
- e) un projet d'ordonnance de retenue des aliments.

**CONSENTEMENT SUIVANT LE DÉPÔT D'UNE RÉPONSE**

(19) Si, à n'importe quel moment après qu'une partie a signifié et déposé une réponse conformément à la disposition 1 du paragraphe (9) mais avant l'audition de la motion en modification, les parties et tout cessionnaire conviennent d'une ordonnance qui modifie l'ordonnance définitive ou l'accord qui fait l'objet de la motion, les parties peuvent procéder sur consentement en déposant ce qui suit :

- a) une motion en modification sur consentement (formule 15C);
- b) une formule de motion (formule 14B) dans laquelle il est demandé au tribunal de rendre l'ordonnance visée dans la motion en modification sur consentement;
- c) cinq copies d'un projet d'ordonnance;
- d) une enveloppe affranchie adressée à chaque partie et au cessionnaire, le cas échéant;
- e) si l'ordonnance dont il est convenu porte en tout ou en partie sur une obligation alimentaire :
  - (i) d'une part, une formule de renseignements sur l'ordonnance de retenue des aliments prescrite aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*,
  - (ii) d'autre part, un projet d'ordonnance de retenue des aliments.

**ORDONNANCE OU ACCORD COMME PIÈCE JOINTE**

(20) Une copie de toute ordonnance ou de tout accord existants portant sur la garde, le droit de visite ou les aliments est jointe à chaque formule de renseignements visant une modification (formule 15A) ou chaque motion en modification des aliments pour les enfants sur consentement (formule 15D).

**MODIFICATION NON CONFORME AUX LIGNES DIRECTRICES SUR LES ALIMENTS POUR LES ENFANTS**

(21) Sauf si une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments à l'égard d'un enfant est présentée avec le consentement des parties et de tout cessionnaire, si une partie demande que soit rendue, en vertu de la présente règle, une ordonnance qui n'est pas conforme aux tables des lignes directrices applicables sur les aliments pour les enfants, le bénéficiaire et le payeur des aliments signifient et déposent chacun les preuves exigées par les articles suivants des lignes directrices ou les preuves qui sont nécessaires par ailleurs pour convaincre le tribunal qu'il ne devrait pas rendre l'ordonnance demandée :

1. L'article 4 (revenu supérieur à 150 000 \$).
2. L'article 5 (personne tenant lieu de père ou de mère).
3. L'article 7 (dépenses spéciales).
4. L'article 8 (garde exclusive d'un ou de plusieurs enfants).
5. L'article 9 (garde partagée).
6. L'article 10 (difficultés excessives).
7. L'article 21 (renseignements sur le revenu et la situation financière).

**DÉPÔT D'UN AFFIDAVIT**

(22) La ou les parties qui veulent demander au tribunal de modifier une ordonnance définitive ou un accord peuvent utiliser, au lieu d'une formule de renseignements visant une modification (formule 15A), un affidavit comprenant les preuves nécessaires pour convaincre le tribunal qu'il devrait rendre l'ordonnance demandée, auquel cas les présentes règles s'appliquent à l'affidavit comme s'il s'agissait d'une formule de renseignements visant une modification.

**IDEM**

(23) La partie qui répond à une motion en modification d'une ordonnance définitive ou d'un accord en signifiant et déposant une réponse à la motion en modification (formule 15B) peut fournir des preuves à l'appui de sa position par affidavit au lieu ou en plus de se servir des parties pertinentes de la formule, auquel cas l'affidavit est réputé faire partie de la formule.

**EXIGENCES RELATIVES À L'AFFIDAVIT**

(24) Les paragraphes 14 (18) et (19) s'appliquent, avec les adaptations nécessaires, à un affidavit fourni conformément au paragraphe (22) ou (23).

**POUVOIRS DU TRIBUNAL — MOTION SUR CONSENTEMENT OU NON CONTESTÉE**

(25) Si une motion en modification d'une ordonnance définitive ou d'un accord est présentée avec le consentement des parties et de tout cessionnaire ou qu'elle n'est pas contestée, le greffier soumet les documents déposés au juge et celui-ci peut :

- a) soit rendre l'ordonnance demandée;
- b) soit exiger que l'une des parties ou les deux déposent d'autres documents;
- c) soit exiger que l'une des parties ou les deux se présentent au tribunal.

**POUVOIRS DU TRIBUNAL — DIRECTIVES**

(26) S'il est d'avis qu'une motion, qu'elle soit présentée ou non sur consentement, ne peut être traitée adéquatement à cause des documents déposés, des questions en litige ou pour une autre raison, le tribunal peut donner des directives, y compris des directives pour la tenue d'un procès.

**POUVOIRS DU TRIBUNAL — RÈGLE 14**

(27) Les paragraphes 14 (21), (22) et (23) s'appliquent, avec les adaptations nécessaires, à une motion en modification d'une ordonnance définitive ou d'un accord.

**MOTION VISÉE À LA RÈGLE 14**

(28) Une motion visée à la règle 14 peut être présentée dans le cadre d'une motion en modification d'une ordonnance définitive ou d'un accord.

**ACCÈS AUX DOCUMENTS ÉNUMÉRÉS**

(29) Le paragraphe 19 (2) (accès aux documents énumérés dans l'affidavit) s'applique, avec les adaptations nécessaires, à un document mentionné dans une formule ou un affidavit utilisés en application de la présente règle.

5. (1) Le paragraphe 17 (3) du Règlement est abrogé et remplacé par ce qui suit :

**MOTIONS EN MODIFICATION D'UNE ORDONNANCE DÉFINITIVE OU D'UN ACCORD**

(3) Le paragraphe (1) s'applique, avec les adaptations nécessaires, à une motion en modification d'une ordonnance définitive ou d'un accord présentée aux termes de la règle 15, sauf si la motion est présentée avec le consentement des parties et de tout cessionnaire ou qu'elle n'est pas contestée.

(2) Le paragraphe 17 (11) du Règlement est abrogé.

6. La règle 25 du Règlement est modifiée par adjonction des paragraphes suivants :

**MODIFICATION DE L'ORDONNANCE — FRAUDE, ERREUR, ABSENCE DE PRÉAVIS**

(19) Le tribunal peut, sur motion, modifier une ordonnance qui, selon le cas :

- a) a été obtenue par fraude;
- b) contient une erreur;
- c) a besoin d'être modifiée pour régler une question qui a été portée devant le tribunal, mais qu'il n'a pas tranchée;
- d) a été rendue sans préavis;
- e) a été rendue avec préavis si une partie concernée n'était pas présente lorsque l'ordonnance a été rendue pour cause d'avis insuffisant ou parce qu'elle ne pouvait pas être présente pour une raison jugée suffisante par le tribunal.

**IDEM**

(20) La règle 14 s'applique, avec les adaptations nécessaires, à une motion en modification d'une ordonnance définitive visée au paragraphe (19) et, à cette fin, la mention, à l'alinéa 14 (6) a), d'une ordonnance temporaire vaut mention d'une ordonnance définitive.



7. (1) L'alinéa 39 (5) c) du Règlement est modifié par substitution de «ou si une réponse à la motion en modification (formule 15B) ou un avis d'intérêt financier a été déposé dans le cadre d'une motion en modification d'une ordonnance définitive ou d'un accord aux termes de la règle 15» à «ou si un affidavit a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord».

(2) L'alinéa 39 (5) e) du Règlement est abrogé et remplacé par ce qui suit :

e) si aucune réponse à la motion en modification (formule 15B), aucune motion en modification sur consentement (formule 15C) ou aucun avis d'intérêt financier n'est déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord aux termes de la règle 15, il renvoie la cause à un juge pour qu'il rende une décision sur la foi des preuves déposées dans le cadre de la motion.

8. (1) L'alinéa 40 (4) c) du Règlement est modifié par substitution de «ou si une réponse à la motion en modification (formule 15B) ou un avis d'intérêt financier a été déposé dans le cadre d'une motion en modification d'une ordonnance définitive ou d'un accord aux termes de la règle 15» à «ou si un affidavit a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord».

(2) L'alinéa 40 (4) e) du Règlement est abrogé et remplacé par ce qui suit :

e) si aucune réponse à la motion en modification (formule 15B), aucune motion en modification sur consentement (formule 15C) ou aucun avis d'intérêt financier n'est déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord aux termes de la règle 15, il renvoie la cause à un juge pour qu'il rende une décision sur la foi des preuves déposées dans le cadre de la motion.

9. Le paragraphe 42 (11) du Règlement est abrogé.

10. Le tableau des formules du Règlement est modifié par substitution de ce qui suit :

15	Motion en modification	1 <sup>er</sup> avril 2008
15A	Formule de renseignements visant une modification	1 <sup>er</sup> avril 2008
15B	Réponse à la motion en modification	1 <sup>er</sup> avril 2008
15C	Motion en modification sur consentement	1 <sup>er</sup> avril 2008
15D	Motion en modification des aliments pour les enfants sur consentement	1 <sup>er</sup> avril 2008

à :

15	Formule de renseignements visant une modification (motion en modification des aliments pour les enfants)	1 <sup>er</sup> septembre 2005
15A	Consentement (motion en modification des aliments pour les enfants)	1 <sup>er</sup> septembre 2005

11. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 2008.

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## ONTARIO REGULATION 152/08

made under the

## PROVINCIAL OFFENCES ACT

Made: May 14, 2008

Filed: May 16, 2008

Published on e-Laws: May 21, 2008

Printed in *The Ontario Gazette*: May 31, 2008

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Items 10 and 11 of Schedule 83.0.1 to Regulation 950 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:



10.	Display tobacco products in manner that permits view before purchase	subsection 3.1 (2)
11.	Permit display of tobacco products in manner that permits view before purchase	subsection 3.1 (2)

2. This Regulation comes into force on the later of May 31, 2008 and the day it is filed.

## RÈGLEMENT DE L'ONTARIO 152/08

pris en application de la

### LOI SUR LES INFRACTIONS PROVINCIALES

pris le 14 mai 2008  
déposé le 16 mai 2008  
publié sur le site Lois-en-ligne le 21 mai 2008  
imprimé dans la *Gazette de l'Ontario* le 31 mai 2008

modifiant le Règl. 950 des R.R.O. de 1990  
(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Les numéros 10 et 11 de l'annexe 83.0.1 du Règlement 950 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :

10.	Exposer des produits du tabac de façon à ce que le consommateur puisse les voir avant de les acheter	paragraphe 3.1 (2)
11.	Permettre que soient exposés des produits du tabac de façon à ce que le consommateur puisse les voir avant de les acheter	paragraphe 3.1 (2)

2. Le présent règlement entre en vigueur le 31 mai 2008 ou, s'il lui est postérieur, le jour de son dépôt.

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NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—06—07

**ONTARIO REGULATION 153/08**

made under the

**OCCUPATIONAL HEALTH AND SAFETY ACT**

Made: May 14, 2008

Filed: May 20, 2008

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Printed in *The Ontario Gazette*: June 7, 2008

Amending Reg. 835 of R.R.O. 1990  
(Designated Substance — Acrylonitrile)

Note: Regulation 835 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations — Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Regulation 835 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:**

**SUBSTANCE DÉSIGNÉE — ACRYLONITRILE**

**1.** Les définitions qui suivent s'appliquent au présent règlement.

«comité mixte sur la santé et la sécurité» S'entend notamment d'un comité mixte sur la santé et la sécurité au travail créé en vertu de l'article 9 de la Loi, ou d'un comité similaire conforme au paragraphe 9 (4) de la Loi, ou d'un accord, programme ou régime auquel les travailleurs participent et qui est également conforme à ce paragraphe. («joint health and safety committee»)

«programme de contrôle» Programme de contrôle de l'acrylonitrile exigé par le présent règlement. («control program»)

**2.** L'acrylonitrile est prescrit comme substance désignée.

**3.** (1) Sous réserve du paragraphe (3), le présent règlement s'applique aux travailleurs qui travaillent à un lieu de travail où l'acrylonitrile est présent, produit, transformé, utilisé, manipulé ou entreposé et où les travailleurs risquent d'inhaler ou d'absorber cette substance, ou d'entrer en contact avec elle, ainsi qu'aux employeurs de tels travailleurs.

(2) Sous réserve du paragraphe (3), l'employeur à qui le présent règlement s'applique prend les précautions raisonnables, compte tenu des circonstances, afin de s'assurer que tout travailleur qui n'est pas un de ses employés, mais qui travaille au lieu de travail de l'employeur, et qui est exposé à l'acrylonitrile et dont la santé risque d'être affectée soit protégé. Le travailleur doit se conformer aux exigences de l'employeur.

(3) Le paragraphe (2) et les articles 4 à 17 du présent règlement ne s'appliquent :

- a) ni à l'employeur ou aux travailleurs d'un employeur qui exerce des activités principalement dans le domaine de la construction;
- b) ni à l'employeur ou aux travailleurs d'un employeur à un lieu de travail où l'acrylonitrile n'est ni produit, ni transformé, ni utilisé, si l'exposition à cette substance ne résulte que de la présence, de l'utilisation, de la manipulation ou de l'entreposage de produits fabriqués à la dernière étape d'un procédé utilisant des polymères faits d'acrylonitrile.

**4.** (1) L'employeur prend toutes les mesures nécessaires, au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène, afin d'assurer que l'exposition moyenne pondérée selon la durée des travailleurs à l'acrylonitrile en suspension dans l'air soit ramenée au niveau le plus bas qui soit pratique, mais ne dépasse en aucun cas la concentration dans l'air de deux parties d'acrylonitrile par million de parties d'air ou de 4,3 milligrammes d'acrylonitrile par mètre cube d'air.

(2) Malgré le paragraphe (1), l'employeur veille à ce que l'exposition des travailleurs à l'acrylonitrile ne dépasse pas la concentration maximale dans l'air de 10 parties d'acrylonitrile par million de parties d'air ou de 21,7 milligrammes d'acrylonitrile par mètre cube d'air.

(3) Sous réserve de l'article 5, l'employeur doit se conformer aux paragraphes (1) et (2) sans exiger des travailleurs qu'ils portent et utilisent un appareil respiratoire.

(4) L'exposition moyenne pondérée selon la durée d'un travailleur à l'acrylonitrile en suspension dans l'air est calculée conformément à l'annexe. Le résultat du calcul de l'exposition peut être certifié par un inspecteur.

(5) Les travailleurs doivent travailler conformément aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle.

(6) En cas de poursuite pour non-conformité au paragraphe (1) ou (2), constitue un moyen de défense pour l'employeur le fait de prouver qu'il s'est conformé au paragraphe (1) ou (2) et qu'une violation de l'un ou l'autre a eu lieu uniquement parce qu'un travailleur ne s'est pas conformé aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle, et que l'employeur a pris toutes les précautions raisonnables, compte tenu des circonstances, pour exiger qu'il s'y conforme.

5. (1) Si l'obligation imposée au paragraphe 4 (1) ou (2) ne peut être observée :

- a) soit en raison d'une situation d'urgence;
- b) soit parce que les mesures nécessaires pour contrôler l'exposition des travailleurs à l'acrylonitrile en suspension dans l'air, selon le cas :
  - (i) n'existent pas ou ne sont pas disponibles,
  - (ii) ne sont ni raisonnables ni pratiques, compte tenu de la durée ou de la fréquence de l'exposition ou de la nature du procédé, de l'activité ou du travail,
  - (iii) sont rendues inefficaces en raison d'une panne temporaire d'équipement,

l'employeur fournit au travailleur un appareil respiratoire que le travailleur doit utiliser.

(2) L'employeur doit fournir un appareil respiratoire au travailleur qui est exposé à l'acrylonitrile en suspension dans l'air et qui en fait la demande, quel que soit le niveau d'exposition.

(3) L'appareil respiratoire que fournit l'employeur et qu'utilise un travailleur :

- a) doit être approprié, compte tenu des circonstances, à la concentration d'acrylonitrile en suspension dans l'air;
- b) doit se conformer au moins aux exigences contenues dans le code intitulé *Code for Respiratory Equipment for Acrylonitrile*, daté du 30 octobre 1984 et publié par le ministère;
- c) doit être utilisé conformément aux exigences contenues dans le code.

(4) L'employeur assure au travailleur une formation et lui donne des instructions concernant l'entretien et l'utilisation convenables de l'appareil respiratoire qu'il fournit.

6. (1) L'employeur à qui s'applique le présent règlement fait faire une évaluation écrite de l'exposition ou du risque d'exposition des travailleurs à l'acrylonitrile au lieu de travail par inhalation, absorption ou contact.

(2) En faisant faire l'évaluation, l'employeur tient compte de questions telles que :

- a) les méthodes utilisées ou qui seront utilisées dans la production, la transformation, l'utilisation, la manutention ou l'entreposage de l'acrylonitrile;
- b) le degré réel et potentiel de l'exposition des travailleurs à l'acrylonitrile par inhalation, absorption ou contact;
- c) les mesures nécessaires pour contrôler une telle exposition au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène.

(3) En faisant faire l'évaluation, l'employeur consulte à ce propos le comité mixte sur la santé et la sécurité, lequel peut présenter des recommandations concernant l'évaluation.

(4) L'employeur remet à chaque membre du comité mixte sur la santé et la sécurité un exemplaire de l'évaluation qu'il a fait faire.

7. (1) Si l'évaluation révèle, ou révélerait, si elle avait été faite conformément à l'article 6, que des travailleurs risquent d'être exposés à l'acrylonitrile par inhalation, absorption ou contact et que leur santé risque d'en être affectée, l'employeur élabore, met en oeuvre et maintient des mesures pour contrôler l'exposition des travailleurs à l'acrylonitrile et incorpore ces mesures dans un programme de contrôle de l'acrylonitrile.

(2) Le programme de contrôle prévoit notamment ce qui suit :

- a) des contrôles techniques, des pratiques de travail et d'hygiène et des installations d'hygiène destinés à contrôler l'exposition des travailleurs à l'acrylonitrile;
- b) des méthodes pour surveiller les concentrations d'acrylonitrile en suspension dans l'air du lieu de travail et l'exposition des travailleurs à la substance;



- c) la tenue par l'employeur d'un dossier personnel d'exposition pour chaque travailleur exposé à l'acrylonitrile au lieu de travail, y compris l'exposition moyenne pondérée selon la durée du travailleur, ainsi que les concentrations d'acrylonitrile et les heures où ces concentrations ont été mesurées de façon à être représentatives de l'exposition du travailleur et utilisées pour calculer l'exposition moyenne;
- d) des examens médicaux et des tests cliniques pour les travailleurs;
- e) un dossier médical pour chaque travailleur indiquant les examens médicaux et les tests cliniques passés par le travailleur, tenu par le médecin qui l'a examiné ou qui a demandé les examens et les tests;
- f) un programme de formation pour les superviseurs et les travailleurs concernant les effets de l'acrylonitrile sur la santé et les mesures exigées aux termes du programme de contrôle.

(3) En élaborant les mesures mentionnées au paragraphe (1) et le programme de contrôle, l'employeur consulte le comité mixte sur la santé et la sécurité, qui peut présenter des recommandations à ce sujet.

8. Si une modification est apportée à un procédé faisant intervenir l'acrylonitrile ou à des méthodes de production, d'utilisation, de manutention ou d'entreposage de l'acrylonitrile, et si cette modification peut provoquer une augmentation notable de l'exposition des travailleurs à l'acrylonitrile par inhalation, absorption ou contact, l'employeur fait faire sans délai une nouvelle évaluation. Les articles 6 et 7 s'appliquent à cette nouvelle évaluation.

9. (1) En cas de conflit entre l'employeur et le comité mixte sur la santé et la sécurité concernant l'évaluation exigée en vertu de l'article 6 ou 8, les mesures mentionnées au paragraphe 7 (1) ou le programme de contrôle ou ses dispositions, exigé en vertu de l'article 7 ou 8, l'employeur, un membre du comité mixte sur la santé et la sécurité ou le comité peut en aviser un inspecteur. Ce dernier doit alors examiner la question et communiquer sa décision par écrit à l'employeur ainsi qu'au membre du comité ou au comité.

(2) Le paragraphe (1) n'a pas pour effet de porter atteinte au pouvoir de l'inspecteur de donner un ordre en cas de contravention au présent règlement.

10. (1) L'employeur distribue à tous les membres du comité mixte sur la santé et la sécurité un exemplaire du programme de contrôle qu'il a mis en vigueur et en communique le contenu aux travailleurs touchés par le programme.

(2) L'employeur met à la disposition des travailleurs un exemplaire du programme de contrôle qu'il a mis en vigueur, en anglais et dans la langue de la majorité des travailleurs du lieu de travail.

11. Sous réserve de l'article 17, les méthodes de surveillance, de prélèvement et de mesure des concentrations d'acrylonitrile en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à cette substance sont celles indiquées dans le code intitulé *Code for Measuring Airborne Acrylonitrile*, daté du 30 octobre 1984 et publié par le ministère.

12. Les résultats des mesures de surveillance des concentrations d'acrylonitrile en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à la substance, selon les dispositions du programme de contrôle :

- a) sont affichés sans délai par l'employeur dès qu'ils sont connus, pendant au moins 14 jours, dans un ou plusieurs endroits bien en vue du lieu de travail où les travailleurs touchés par les résultats sont le plus susceptibles d'en prendre connaissance;
- b) sont communiqués au comité mixte sur la santé et la sécurité;
- c) sont conservés par l'employeur pendant au moins cinq ans.

13. (1) Les travailleurs passent, aux frais de l'employeur, les examens médicaux et les tests cliniques qu'exige le programme de contrôle.

(2) Les examens médicaux et les tests cliniques qu'exige le programme de contrôle prévoient :

- a) des examens médicaux préembauchage et préplacement qui comprennent :
  - (i) les antécédents médicaux,
  - (ii) un examen physique,
  - (iii) les tests cliniques exigés par le médecin;
- b) des examens médicaux et des tests cliniques périodiques qui comprennent les éléments prescrits à l'alinéa a).

(3) Les antécédents médicaux, l'examen physique et les tests cliniques doivent être conformes aux dispositions du code intitulé *Code for Medical Surveillance of Acrylonitrile Exposed Workers*, daté du 30 octobre 1984 et publié par le ministère.

14. (1) Le dossier d'exposition de chaque travailleur à l'acrylonitrile en suspension dans l'air du lieu de travail, tenu selon ce que prévoit le programme de contrôle, identifie le travailleur, y compris sa date de naissance, son poste ou ses responsabilités sur le lieu de travail, les résultats de la surveillance de l'exposition à l'acrylonitrile en suspension dans l'air de son lieu de travail, l'utilisation par le travailleur d'un appareil respiratoire et le type d'appareil utilisé.

(2) L'employeur fournit au médecin qui examine un travailleur et qui supervise les tests cliniques passés par le travailleur une copie du dossier d'exposition du travailleur à l'acrylonitrile en suspension dans l'air, selon ce que prévoit le programme de contrôle.

15. (1) Le dossier des examens médicaux et des tests cliniques du travailleur passés en vertu du présent règlement et le dossier d'exposition du travailleur à l'acrylonitrile en suspension dans l'air fourni par l'employeur en vertu du paragraphe 14 (2) sont gardés en lieu sûr par le médecin qui a effectué les examens et les tests ou qui les a supervisés pendant la plus longue des deux périodes suivantes :

- a) 40 ans après l'ouverture de ces dossiers;
- b) 20 ans après la fermeture de ces dossiers.

(2) Si le médecin ne peut plus ou ne veut plus conserver les dossiers, ceux-ci sont envoyés au médecin provincial du ministère du Travail ou à un médecin désigné par le médecin provincial, et les dispositions du paragraphe (1) s'appliquent avec les adaptations nécessaires.

16. (1) Le médecin qui procède à l'examen physique ou aux tests cliniques ou qui supervise l'examen ou les tests avise le travailleur et l'employeur, qui doit alors agir en conséquence, si le travailleur est apte à un travail comportant une exposition à l'acrylonitrile ou si, du fait d'une affection due à l'exposition à l'acrylonitrile, il est apte avec certaines restrictions ou inapte à un tel travail, sans cependant communiquer ni dévoiler à l'employeur le contenu du dossier ni les résultats de l'examen ou des tests. Lorsqu'il avise l'employeur que le travailleur est apte avec certaines restrictions ou inapte à un tel travail, le médecin est régi par les dispositions du code intitulé *Code for Medical Surveillance of Acrylonitrile Exposed Workers*, auquel renvoie le paragraphe 13 (3).

(2) Si un travailleur est retiré d'un poste où il est exposé à l'acrylonitrile parce qu'un examen physique ou un test clinique révèle qu'il pourrait souffrir ou souffre d'une affection due à l'exposition à l'acrylonitrile, et s'il en résulte pour lui une perte de salaire, il a droit à une indemnité aux conditions prévues par la *Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail*.

(3) Lorsqu'il avise l'employeur et le travailleur que, du fait d'une affection due à l'exposition à l'acrylonitrile, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé à l'acrylonitrile, le médecin en avise le comité mixte sur la santé et la sécurité, par écrit et de façon confidentielle, et indique son opinion quant à l'interprétation à donner à cette conclusion.

(4) Le médecin qui effectue l'examen ou les tests donne une copie du dossier d'exposition et du dossier et des résultats des examens physiques et des tests cliniques du travailleur :

- a) au travailleur ou au médecin du travailleur, sur demande écrite du travailleur;
- b) dans le cas d'un travailleur décédé, au plus proche parent ou au représentant successoral du travailleur, sur demande écrite de ce parent ou de ce représentant.

Est nulle toute autorisation donnée à une autre personne par le travailleur ou son plus proche parent ou représentant successoral.

(5) Si le médecin avise l'employeur que, du fait d'une affection due à l'exposition à l'acrylonitrile, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé à l'acrylonitrile, il communique sans délai cet avis au médecin provincial du ministère du Travail.

17. Pour l'application du présent règlement, les méthodes qui peuvent être utilisées ou adoptées peuvent différer de celles contenues dans les codes publiés par le ministère, à condition que la protection conférée par ces méthodes ou que les facteurs de précision et d'exactitude utilisés ou adoptés équivalent au moins à la protection ou aux facteurs contenus dans les codes publiés par le ministère.

#### ANNEXE

L'exposition moyenne pondérée selon la durée d'un travailleur à l'acrylonitrile en suspension dans l'air est calculée, pour une semaine de 40 heures et une journée de huit heures, comme suit :

1. Les concentrations moyennes d'acrylonitrile auxquelles le travailleur est exposé sont déterminées à partir de l'analyse des échantillons d'air prélevés de façon à représenter l'exposition du travailleur à l'acrylonitrile durant son travail, selon ce qu'indique le code mentionné à l'article 11.
2. Les analyses donnent les concentrations d'acrylonitrile dans l'air exprimées en parties d'acrylonitrile par million de parties d'air ou en milligrammes d'acrylonitrile par mètre cube d'air.
3. Les concentrations sont multipliées par la durée exprimée en heures de l'exposition présumée du travailleur à ces concentrations.
4. L'exposition hebdomadaire est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition hebdomadaire cumulative}$$

où

$C_1$  est la concentration mesurée dans l'échantillon d'air;



$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une semaine.

5. L'exposition hebdomadaire moyenne pondérée selon la durée est calculée en divisant l'exposition hebdomadaire cumulative par 40.

6. L'exposition quotidienne est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition quotidienne cumulative}$$

où

$C_1$  est la concentration mesurée dans l'échantillon d'air;

$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une journée.

7. L'exposition quotidienne moyenne pondérée selon la durée est calculée en divisant l'exposition quotidienne cumulative par 8.

23/08

## ONTARIO REGULATION 154/08

made under the

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Amending Reg. 839 of R.R.O. 1990

(Designated Substance — Benzene)

Note: Regulation 839 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations — Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Regulation 839 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

### SUBSTANCE DÉSIGNÉE — BENZÈNE

1. Les définitions qui suivent s'appliquent au présent règlement.

«comité mixte sur la santé et la sécurité» S'entend notamment d'un comité mixte sur la santé et la sécurité au travail créé en vertu de l'article 9 de la Loi, ou d'un comité similaire conforme au paragraphe 9 (4) de la Loi, ou d'un accord, programme ou régime auquel les travailleurs participent et qui est également conforme à ce paragraphe. («joint health and safety committee»)

«programme de contrôle» Programme de contrôle du benzène exigé par le présent règlement. («control program»)

2. Le benzène est prescrit comme substance désignée.

3. (1) Sous réserve du paragraphe (3), le présent règlement s'applique aux travailleurs qui travaillent à un lieu de travail où ils risquent d'inhaler ou d'absorber du benzène ou un produit contenant du benzène, ou d'entrer en contact avec une de ces substances, durant le transport, le transfert, la fabrication, la transformation, l'utilisation, la manutention ou l'entreposage du benzène ou d'un produit contenant du benzène, ainsi qu'aux employeurs de tels travailleurs.

(2) Sous réserve du paragraphe (3), l'employeur à qui le présent règlement s'applique prend les précautions raisonnables, compte tenu des circonstances, afin de s'assurer que tout travailleur qui n'est pas un de ses employés, mais qui travaille au lieu de travail de l'employeur, et qui est exposé au benzène et dont la santé risque d'être affectée soit protégé. Le travailleur doit se conformer aux exigences de l'employeur.

(3) Le paragraphe (2) et les articles 4 à 17 ne s'appliquent :

- a) ni à l'employeur ou aux travailleurs d'un employeur qui exerce des activités principalement dans le domaine de la construction;



- b) ni au transfert de l'essence au moyen d'une pompe à essence dans un réservoir de carburant d'un véhicule automobile, d'un bateau à moteur ou d'une autre embarcation ou dans un bidon, que ce soit à une station-service ou ailleurs.

4. (1) L'employeur prend toutes les mesures nécessaires, au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène, afin d'assurer que l'exposition moyenne pondérée selon la durée des travailleurs au benzène en suspension dans l'air ne dépasse la concentration dans l'air de 0,5 parties de benzène par million de parties d'air.

(2) Lorsqu'il se conforme au paragraphe (1), l'employeur veille à ce que la concentration maximale de l'exposition au benzène en suspension dans l'air ne dépasse pas 2,5 parties de benzène par million de parties d'air et l'exposition des travailleurs à une telle concentration maximale ne doit pas :

- a) dépasser 15 minutes à chaque fois;
- b) se produire plus de quatre fois par jour de travail;
- c) se produire avant qu'au moins 60 minutes se soient écoulées à compter du moment où s'est produit la dernière exposition à cette concentration.

(3) Sous réserve de l'article 5, l'employeur doit se conformer aux paragraphes (1) et (2) sans exiger des travailleurs qu'ils portent et utilisent un appareil respiratoire.

(4) L'exposition moyenne pondérée selon la durée d'un travailleur au benzène en suspension dans l'air est calculée conformément à l'annexe. Le résultat du calcul de l'exposition peut être certifié par un inspecteur.

(5) Les travailleurs doivent travailler conformément aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle.

(6) En cas de poursuite pour non-conformité au paragraphe (1) ou (2), constitue un moyen de défense pour l'employeur le fait de prouver qu'il s'est conformé au paragraphe (1) ou (2) et qu'une violation de l'un ou l'autre paragraphe a eu lieu uniquement parce qu'un travailleur ne s'est pas conformé aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle, et que l'employeur a pris toutes les précautions raisonnables, compte tenu des circonstances, pour exiger que le travailleur se conforme à ces pratiques.

5. (1) Si l'obligation imposée au paragraphe 4 (1) ou (2) ne peut être observée :

- a) soit en raison d'une situation d'urgence;
- b) soit parce que les mesures nécessaires pour contrôler l'exposition des travailleurs au benzène, selon le cas :
  - (i) n'existent pas ou ne sont pas disponibles,
  - (ii) ne sont ni raisonnables ni pratiques, compte tenu de la durée ou de la fréquence de l'exposition ou de la nature du procédé, de l'activité ou du travail,
  - (iii) sont rendues inefficaces en raison d'une panne temporaire d'équipement,

l'employeur fournit au travailleur un appareil respiratoire que le travailleur doit utiliser.

(2) L'employeur doit fournir un appareil respiratoire au travailleur qui est exposé à du benzène en suspension dans l'air et qui en fait la demande, quel que soit le niveau d'exposition.

(3) L'appareil respiratoire que fournit l'employeur et qu'utilise un travailleur :

- a) doit être approprié, compte tenu des circonstances, à la concentration de benzène en suspension dans l'air;
- b) doit se conformer au moins aux exigences contenues dans le code intitulé *Code for Respiratory Equipment for Benzene*, daté du 30 juin 2000 et publié par le ministère;
- c) doit être utilisé conformément aux exigences contenues dans le code.

(4) L'employeur assure au travailleur une formation et lui donne des instructions concernant l'entretien et l'utilisation convenables de l'appareil respiratoire qu'il fournit.

6. (1) L'employeur à qui s'applique le présent règlement fait faire une évaluation écrite de l'exposition ou du risque d'exposition des travailleurs au benzène au lieu de travail par inhalation, absorption ou contact.

(2) En faisant faire l'évaluation, l'employeur tient compte de questions telles que :

- a) les méthodes utilisées ou qui seront utilisées dans la fabrication, la transformation, l'utilisation, la manutention ou l'entreposage du benzène;
- b) le degré réel et potentiel de l'exposition des travailleurs au benzène par inhalation, absorption ou contact;
- c) les mesures nécessaires pour contrôler une telle exposition au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène.

(3) En faisant faire l'évaluation, l'employeur consulte à ce propos le comité mixte sur la santé et la sécurité, lequel peut présenter des recommandations concernant l'évaluation.

(4) L'employeur remet à chaque membre du comité mixte sur la santé et la sécurité un exemplaire de l'évaluation qu'il a fait faire.

7. (1) Si l'évaluation révèle, ou révélerait, si elle avait été faite conformément à l'article 6, que des travailleurs risquent d'être exposés au benzène par inhalation, absorption ou contact et que leur santé risque d'en être affectée, l'employeur élabore, met en oeuvre et maintient des mesures pour contrôler l'exposition des travailleurs au benzène et incorpore ces mesures dans un programme de contrôle du benzène.

(2) Le programme de contrôle prévoit notamment ce qui suit :

- a) des contrôles techniques, des pratiques de travail et d'hygiène et des installations d'hygiène destinés à contrôler l'exposition des travailleurs au benzène;
- b) des méthodes pour surveiller les concentrations de benzène en suspension dans l'air du lieu de travail et l'exposition des travailleurs à la substance;
- c) la tenue par l'employeur d'un dossier personnel d'exposition pour chaque travailleur exposé au benzène au lieu de travail, y compris l'exposition moyenne pondérée selon la durée du travailleur, ainsi que les concentrations de benzène et les heures où ces concentrations ont été mesurées de façon à être représentatives de l'exposition du travailleur et utilisées pour calculer l'exposition moyenne;
- d) des examens médicaux et des tests cliniques pour les travailleurs;
- e) un dossier médical pour chaque travailleur indiquant les examens médicaux et les tests cliniques passés par le travailleur, tenu par le médecin qui l'a examiné ou qui a demandé les examens et les tests;
- f) un programme de formation pour les superviseurs et les travailleurs concernant les effets du benzène sur la santé et les mesures exigées aux termes du programme de contrôle.

(3) En élaborant les mesures mentionnées au paragraphe (1) et le programme de contrôle, l'employeur consulte le comité mixte sur la santé et la sécurité, qui peut présenter des recommandations à ce sujet.

8. Si une modification est apportée à un procédé faisant intervenir le benzène ou un produit contenant du benzène ou à des méthodes de fabrication, d'utilisation, de manutention ou d'entreposage du benzène ou d'un produit contenant du benzène, et si cette modification peut provoquer une augmentation notable de l'exposition des travailleurs au benzène par inhalation, absorption ou contact, l'employeur fait faire sans délai une nouvelle évaluation. Les articles 6 et 7 s'appliquent à cette nouvelle évaluation.

9. (1) En cas de conflit entre l'employeur et le comité mixte sur la santé et la sécurité concernant l'évaluation exigée en vertu de l'article 6 ou 8, les mesures mentionnées au paragraphe 7 (1) ou le programme de contrôle ou ses dispositions, exigé en vertu de l'article 7 ou 8, l'employeur, un membre du comité mixte sur la santé et la sécurité ou le comité peut en aviser un inspecteur. Ce dernier doit alors examiner la question et communiquer sa décision par écrit à l'employeur ainsi qu'au membre du comité ou au comité.

(2) Le paragraphe (1) n'a pas pour effet de porter atteinte au pouvoir de l'inspecteur de donner un ordre en cas de contravention au présent règlement.

10. (1) L'employeur distribue à tous les membres du comité mixte sur la santé et la sécurité un exemplaire du programme de contrôle qu'il a mis en vigueur et en communique le contenu aux travailleurs touchés par le programme.

(2) L'employeur met à la disposition des travailleurs un exemplaire du programme de contrôle qu'il a mis en vigueur, en anglais et dans la langue de la majorité des travailleurs du lieu de travail.

11. Les méthodes de surveillance, de prélèvement et de mesure des concentrations de benzène en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à cette substance sont conformes aux méthodes normalisées d'échantillonnage et d'analyse de l'air d'un lieu de travail.

12. Les résultats des mesures de surveillance des concentrations de benzène en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à la substance, selon les dispositions du programme de contrôle :

- a) sont affichés sans délai par l'employeur dès qu'ils sont connus, pendant au moins 14 jours, dans un ou plusieurs endroits bien en vue du lieu de travail où les travailleurs touchés par les résultats sont le plus susceptibles d'en prendre connaissance;
- b) sont communiqués au comité mixte sur la santé et la sécurité;
- c) sont conservés par l'employeur pendant au moins cinq ans.

13. (1) Les travailleurs passent, aux frais de l'employeur, les examens médicaux et les tests cliniques qu'exige le programme de contrôle.

(2) Les examens médicaux et les tests cliniques qu'exige le programme de contrôle prévoient :

- a) des examens médicaux préembauchage et préplacement qui comprennent :



- (i) les antécédents médicaux,
- (ii) un examen physique,
- (iii) les tests cliniques exigés par le médecin;

b) des examens médicaux et des tests cliniques périodiques qui comprennent les éléments prescrits à l'alinéa a).

(3) Les antécédents médicaux, l'examen physique et les tests cliniques doivent être conformes aux dispositions du code intitulé *Code for Medical Surveillance of Benzene Exposed Workers*, daté du 29 octobre 1984 et publié par le ministère.

14. (1) Le dossier d'exposition de chaque travailleur au benzène en suspension dans l'air du lieu de travail, tenu selon ce que prévoit le programme de contrôle, identifie le travailleur y compris sa date de naissance, son poste ou ses responsabilités sur le lieu de travail, les résultats de la surveillance de l'exposition au benzène en suspension dans l'air de son lieu de travail, l'utilisation par le travailleur d'un appareil respiratoire et le type d'appareil utilisé.

(2) L'employeur fournit au médecin qui examine un travailleur et qui supervise les tests cliniques passés par celui-ci, une copie du dossier d'exposition du travailleur au benzène en suspension dans l'air, selon ce que prévoit le programme de contrôle.

15. (1) Le dossier des examens médicaux et des tests cliniques du travailleur passés en vertu du présent règlement et le dossier d'exposition du travailleur au benzène en suspension dans l'air fourni par l'employeur en vertu du paragraphe 14 (2) sont gardés en lieu sûr par le médecin qui a effectué les examens et les tests ou qui les a supervisés pendant la plus longue des deux périodes suivantes :

- a) quarante ans après l'ouverture de ces dossiers;
- b) vingt ans après la fermeture de ces dossiers.

(2) Si le médecin ne peut plus ou ne veut plus conserver les dossiers, ceux-ci sont envoyés au médecin provincial du ministère du Travail ou à un médecin désigné par le médecin provincial, et les dispositions du paragraphe (1) s'appliquent avec les adaptations nécessaires.

16. (1) Le médecin qui procède à l'examen physique ou aux tests cliniques ou qui supervise l'examen ou les tests avise le travailleur et l'employeur, qui doit alors agir en conséquence, si le travailleur est apte à un travail comportant une exposition au benzène ou si, du fait d'une affection due à l'exposition au benzène, il est apte avec certaines restrictions ou inapte à un tel travail, sans cependant communiquer ni dévoiler à l'employeur le contenu du dossier ni les résultats de l'examen ou des tests. Lorsqu'il avise l'employeur que le travailleur est apte avec certaines restrictions ou inapte à un tel travail, le médecin est régi par les dispositions du code intitulé *Code for Medical Surveillance of Benzene Exposed Workers*, visé au paragraphe 13 (3).

(2) Si un travailleur est retiré d'un poste où il est exposé au benzène parce qu'un examen physique ou un test clinique révèle qu'il pourrait souffrir ou souffre d'une affection due à l'exposition au benzène, et s'il en résulte pour lui une perte de salaire, il a droit à une indemnité aux conditions prévues par la *Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail*.

(3) Lorsqu'il avise l'employeur et le travailleur que, du fait d'une affection due à l'exposition au benzène, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé au benzène, le médecin en avise le comité mixte sur la santé et la sécurité, par écrit et de façon confidentielle, et indique son opinion quant à l'interprétation à donner à cette conclusion.

(4) Le médecin qui effectue l'examen ou les tests donne une copie du dossier d'exposition et du dossier et des résultats des examens physiques et des tests cliniques du travailleur :

- a) au travailleur ou à son médecin, sur demande écrite du travailleur;
- b) dans le cas d'un travailleur décédé, au plus proche parent ou au représentant successoral du travailleur, sur demande écrite de ce parent ou de ce représentant.

Est nulle toute autorisation donnée à une autre personne par le travailleur ou par son plus proche parent ou représentant successoral.

(5) Si le médecin avise l'employeur que, du fait d'une affection due à l'exposition au benzène, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé au benzène, il communique sans délai cet avis au médecin provincial du ministère du Travail.

17. Pour l'application du présent règlement, les méthodes pouvant être utilisées ou adoptées peuvent différer de celles contenues dans les codes publiés par le ministère, à condition que la protection conférée par ces méthodes ou que les facteurs de précision et d'exactitude utilisés ou adoptés équivalent au moins à la protection ou aux facteurs contenus dans les codes publiés par le ministère.

#### ANNEXE

L'exposition moyenne pondérée selon la durée d'un travailleur au benzène est calculée, pour une semaine de 40 heures et une journée de huit heures, comme suit :



1. Les concentrations moyennes de benzène auxquelles le travailleur est exposé sont déterminées à partir de l'analyse des échantillons d'air prélevés de façon à représenter l'exposition du travailleur au benzène durant son travail, conformément aux méthodes normalisées d'échantillonnage et d'analyse de l'air d'un lieu de travail.
2. Les analyses donnent les concentrations de benzène dans l'air exprimées en parties de benzène par million de parties d'air ou en milligrammes de benzène par mètre cube d'air.
3. Les concentrations sont multipliées par la durée exprimée en heures de l'exposition présumée du travailleur à ces concentrations.
4. L'exposition hebdomadaire est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition hebdomadaire cumulative}$$

où :

$C_1$  est la concentration mesurée dans l'échantillon d'air;

$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une semaine.

5. L'exposition hebdomadaire moyenne pondérée selon la durée est calculée en divisant l'exposition hebdomadaire cumulative par 40.
6. L'exposition quotidienne est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition quotidienne cumulative}$$

où :

$C_1$  est la concentration mesurée dans l'échantillon d'air;

$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une journée.

7. L'exposition quotidienne moyenne pondérée selon la durée est calculée en divisant l'exposition quotidienne cumulative par 8.

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## ONTARIO REGULATION 155/08

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### OCCUPATIONAL HEALTH AND SAFETY ACT

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Amending Reg. 845 of R.R.O. 1990

(Designated Substance — Silica)

Note: Regulation 845 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Regulation 845 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

### SUBSTANCE DÉSIGNÉE — SILICE

1. Les définitions qui suivent s'appliquent au présent règlement.

«comité mixte sur la santé et la sécurité» S'entend notamment d'un comité mixte sur la santé et la sécurité au travail créé en vertu de l'article 9 de la Loi, d'un comité similaire conforme au paragraphe 9 (4) de la Loi et des travailleurs ou de leurs représentants qui participent à un accord, à un programme ou à un régime également conforme à ce paragraphe. («joint health and safety committee»)

«respirable» La tranche granulométrique des particules en suspension dans l'air qui sont déposées dans la zone d'échange de gaz des voies respiratoires et recueillies lors d'un échantillonnage de l'air à l'aide d'un appareil de sélection granulométrique qui remplit les conditions suivantes :

- a) il satisfait aux critères de sélection granulométrique établis par l'American Conference of Governmental Industrial Hygienists (ACGIH);
- b) il a un point de coupure à 4 microns à 50 pour cent d'efficacité. («respirable»)

«silice» Forme respirable de silice cristalline. («silica»)

2. La silice est prescrite comme substance désignée.

3. (1) Sous réserve du paragraphe (3), le présent règlement s'applique aux travailleurs qui travaillent à un lieu de travail où la silice est présente, produite, transformée, utilisée, manipulée ou entreposée et où les travailleurs risquent d'inhaler cette substance, ainsi qu'aux employeurs de tels travailleurs.

(2) Sous réserve du paragraphe (3), l'employeur à qui le présent règlement s'applique prend les précautions raisonnables, compte tenu des circonstances, afin de s'assurer que tout travailleur qui n'est pas un de ses employés, mais qui travaille au lieu de travail de l'employeur, et qui est exposé à la silice et dont la santé risque d'être affectée soit protégé. Le travailleur doit se conformer aux exigences de l'employeur.

(3) Le paragraphe (2) et les articles 4 à 17 du présent règlement ne s'appliquent pas aux constructeurs, aux employeurs réalisant un chantier ni aux travailleurs qui y travaillent.

4. (1) L'employeur prend toutes les mesures nécessaires, au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène, afin d'assurer que l'exposition moyenne pondérée selon la durée des travailleurs à la silice soit ramenée au niveau le plus bas qui soit pratique, mais ne dépasse en aucun cas la concentration dans l'air de :

- a) 0,05 milligramme de silice par mètre cube d'air, dans le cas de la cristobalite;
- b) 0,10 milligramme de silice par mètre cube d'air, dans le cas du quartz et du tripoli.

(2) Sous réserve de l'article 5, l'employeur doit se conformer au paragraphe (1) sans exiger des travailleurs qu'ils portent et utilisent un appareil respiratoire.

(3) L'exposition moyenne pondérée selon la durée d'un travailleur à la silice en suspension dans l'air est calculée conformément à l'annexe. Le résultat du calcul de l'exposition peut être certifié par un inspecteur.

(4) Les travailleurs doivent travailler conformément aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle de la silice.

(5) En cas de poursuite pour non-conformité au paragraphe (1), constitue un moyen de défense pour l'employeur le fait de prouver qu'il s'est conformé à ce paragraphe et qu'une violation de celui-ci a eu lieu uniquement parce qu'un travailleur ne s'est pas conformé aux pratiques de travail et d'hygiène qui sont conformes aux dispositions du programme de contrôle de la silice, et que l'employeur a pris toutes les précautions raisonnables, compte tenu des circonstances, pour exiger qu'il s'y conforme.

5. (1) Si l'obligation imposée au paragraphe 4 (1) ne peut être observée :

- a) soit en raison d'une situation d'urgence;
- b) soit parce que les mesures nécessaires pour contrôler l'exposition des travailleurs à la silice en suspension dans l'air, selon le cas :
  - (i) n'existent pas ou ne sont pas disponibles,
  - (ii) ne sont ni raisonnables ni pratiques, compte tenu de la durée ou de la fréquence de l'exposition ou de la nature du procédé, de l'activité ou du travail,
  - (iii) sont rendues inefficaces en raison d'une panne temporaire d'équipement,

l'employeur fournit au travailleur un appareil respiratoire que le travailleur doit utiliser.

(2) Sous réserve du paragraphe (1), l'employeur doit fournir un appareil respiratoire au travailleur qui est exposé à la silice en suspension dans l'air et qui en fait la demande.

(3) L'appareil respiratoire que fournit l'employeur et qu'utilise un travailleur :

- a) doit être approprié, compte tenu des circonstances, à la concentration de silice en suspension dans l'air;
- b) doit se conformer au moins aux exigences contenues dans le code intitulé *Code for Respiratory Equipment for Silica*, daté du 30 juin 2000 et publié par le ministère;
- c) doit être utilisé conformément aux exigences contenues dans le code.

(4) L'employeur assure au travailleur une formation et lui donne des instructions concernant l'entretien et l'utilisation convenables de l'appareil respiratoire qu'il fournit.



6. (1) L'employeur à qui s'applique le présent règlement fait faire une évaluation écrite de l'exposition ou du risque d'exposition des travailleurs à la silice au lieu de travail par inhalation.

(2) En faisant faire l'évaluation, l'employeur tient compte de questions telles que :

- a) les méthodes utilisées ou qui seront utilisées dans la transformation, l'utilisation, la manutention ou l'entreposage de la silice;
- b) le degré réel et potentiel de l'exposition des travailleurs à la silice par inhalation;
- c) les mesures nécessaires pour contrôler une telle exposition au moyen de contrôles techniques, de pratiques de travail et d'hygiène et d'installations d'hygiène.

(3) En faisant faire l'évaluation, l'employeur consulte à ce propos le comité mixte sur la santé et la sécurité, lequel peut présenter des recommandations concernant l'évaluation.

(4) L'employeur remet à chaque membre du comité mixte sur la santé et la sécurité un exemplaire de l'évaluation qu'il a fait faire.

7. (1) Si l'évaluation révèle, ou révélerait, si elle avait été faite conformément à l'article 6, que des travailleurs risquent d'inhaler de la silice et que leur santé risque d'en être affectée, l'employeur élabore, met en oeuvre et maintient des mesures pour contrôler l'exposition des travailleurs à la silice et incorpore ces mesures dans un programme de contrôle de la silice.

(2) Le programme de contrôle de la silice prévoit notamment ce qui suit :

- a) des contrôles techniques, des pratiques de travail et d'hygiène et des installations d'hygiène destinés à contrôler l'exposition des travailleurs à la silice;
- b) des méthodes pour surveiller les concentrations de silice en suspension dans l'air du lieu de travail et l'exposition des travailleurs à la substance;
- c) la tenue par l'employeur d'un dossier personnel d'exposition pour chaque travailleur exposé à la silice au lieu de travail, y compris l'exposition moyenne pondérée selon la durée du travailleur, ainsi que les concentrations de silice et les heures où ces concentrations ont été mesurées de façon à être représentatives de l'exposition du travailleur et utilisées pour calculer l'exposition moyenne;
- d) des examens médicaux et des tests cliniques pour les travailleurs;
- e) un dossier médical pour chaque travailleur indiquant les examens médicaux et les tests cliniques passés par le travailleur, tenu par le médecin qui l'a examiné ou qui a demandé les examens et les tests;
- f) un programme de formation pour les superviseurs et les travailleurs concernant les effets de la silice sur la santé et les mesures exigées aux termes du programme de contrôle de la silice.

(3) En élaborant les mesures mentionnées au paragraphe (1) et le programme de contrôle de la silice, l'employeur consulte le comité mixte sur la santé et la sécurité, qui peut présenter des recommandations à ce sujet.

8. (1) Si des contrôles techniques deviennent disponibles du fait des progrès des connaissances et de la technologie et avaient pour effet, s'ils étaient adoptés et mis en oeuvre par l'employeur, de ramener l'exposition des travailleurs au niveau ou au-dessous de la limite d'exposition moyenne pondérée selon la durée prescrite par le présent règlement, l'employeur adopte et met en oeuvre ces contrôles là où il est raisonnable ou pratique de le faire.

(2) Si une modification est apportée à un procédé faisant intervenir la silice ou à des méthodes d'extraction ou d'utilisation, de manutention ou d'entreposage de la silice, et si cette modification peut provoquer une augmentation notable de l'exposition des travailleurs à la silice par inhalation, l'employeur fait faire sans délai une nouvelle évaluation. Les articles 6 et 7 s'appliquent à cette nouvelle évaluation.

9. (1) En cas de conflit entre l'employeur et le comité mixte sur la santé et la sécurité concernant l'évaluation exigée en vertu de l'article 6 ou 8, les mesures mentionnées au paragraphe 7 (1) ou le programme de contrôle de la silice ou ses dispositions, exigé en vertu de l'article 7 ou 8, l'employeur, un membre du comité mixte sur la santé et la sécurité ou le comité peut en aviser un inspecteur. Ce dernier doit alors examiner la question et communiquer sa décision par écrit à l'employeur, au membre du comité ou au comité.

(2) Le paragraphe (1) n'a pas pour effet de porter atteinte au pouvoir de l'inspecteur de donner un ordre en cas de contravention au présent règlement.

10. (1) L'employeur distribue à tous les membres du comité mixte sur la santé et la sécurité un exemplaire du programme de contrôle de la silice qu'il a mis en vigueur et en communique le contenu aux travailleurs touchés par le programme.

(2) L'employeur met à la disposition des travailleurs un exemplaire du programme de contrôle de la silice qu'il a mis en vigueur, en anglais et dans la langue de la majorité des travailleurs du lieu de travail.

11. Les méthodes de surveillance, de prélèvement et de mesure des concentrations de silice en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à cette substance sont conformes aux méthodes normalisées d'échantillonnage et d'analyse de l'air d'un lieu de travail.



12. Les résultats des mesures de surveillance des concentrations de silice en suspension dans l'air du lieu de travail et de l'exposition des travailleurs à la substance, selon les dispositions du programme de contrôle de la silice :

- a) sont affichés sans délai par l'employeur dès qu'ils sont connus, pendant au moins 14 jours, dans un ou plusieurs endroits bien en vue du lieu de travail où les travailleurs touchés par les résultats sont le plus susceptibles d'en prendre connaissance;
- b) sont communiqués au comité mixte sur la santé et la sécurité;
- c) sont conservés par l'employeur pendant au moins cinq ans.

13. (1) Les travailleurs passent, aux frais de l'employeur, les examens médicaux et les tests cliniques qu'exige le programme de contrôle de la silice.

(2) Les examens médicaux et les tests cliniques qu'exige le programme de contrôle de la silice prévoient :

a) des examens médicaux préembauchage et préplacement qui comprennent :

- (i) les antécédents médicaux,
- (ii) un examen physique,
- (iii) les tests cliniques exigés par le médecin, y compris des radiographies pulmonaires et des tests de la fonction pulmonaire;

b) des examens médicaux et des tests cliniques périodiques qui comprennent les éléments prescrits à l'alinéa a).

(3) Les antécédents médicaux, l'examen physique et les tests cliniques doivent être conformes aux dispositions du code intitulé *Code for Medical Surveillance of Silica Exposed Workers*, daté du 17 octobre 1983 et publié par le ministère.

14. (1) Le dossier d'exposition de chaque travailleur à la silice en suspension dans l'air du lieu de travail, tenu selon ce que prévoit le programme de contrôle de la silice, identifie le travailleur, y compris sa date de naissance, son poste ou ses responsabilités sur le lieu de travail, les résultats de la surveillance de l'exposition à la silice en suspension dans l'air de son lieu de travail, l'utilisation par le travailleur d'un appareil respiratoire et le type d'appareil utilisé.

(2) L'employeur fournit au médecin qui examine un travailleur et qui supervise les tests cliniques passés par le travailleur une copie du dossier d'exposition du travailleur à la silice en suspension dans l'air, selon ce que prévoit le programme de contrôle de la silice.

15. (1) Le dossier des examens médicaux et des tests cliniques du travailleur passés en vertu du présent règlement et le dossier d'exposition du travailleur à la silice en suspension dans l'air fourni par l'employeur en vertu du paragraphe 14 (2) sont gardés en lieu sûr par le médecin qui a effectué les examens et les tests ou qui les a supervisés pendant la plus longue des deux périodes suivantes :

- a) 40 ans après l'ouverture de ces dossiers;
- b) 20 ans après la fermeture de ces dossiers.

(2) Si le médecin ne peut plus ou ne veut plus conserver les dossiers, ceux-ci sont envoyés au médecin provincial du ministère du Travail ou à un médecin désigné par le médecin provincial, et les dispositions du paragraphe (1) s'appliquent avec les adaptations nécessaires.

16. (1) Le médecin qui procède à l'examen physique ou aux tests cliniques ou qui supervise l'examen ou les tests avise le travailleur et l'employeur, qui doit alors agir en conséquence, si le travailleur est apte à un travail comportant une exposition à la silice ou si, du fait d'une affection due à l'exposition à la silice, il est apte avec certaines restrictions ou inapte à un tel travail, sans cependant communiquer ni dévoiler à l'employeur le contenu du dossier ni les résultats de l'examen ou des tests. Lorsqu'il avise l'employeur que le travailleur est apte avec certaines restrictions ou inapte à un tel travail, le médecin est régi par les dispositions du code intitulé *Code for Medical Surveillance of Silica Exposed Workers*, auquel renvoie le paragraphe 13 (3).

(2) Si un travailleur est retiré d'un poste où il est exposé à la silice parce qu'un examen physique ou un test clinique révèle qu'il pourrait souffrir ou souffre d'une affection due à l'exposition à la silice, et s'il en résulte pour lui une perte de salaire, il a droit à une indemnité aux conditions prévues par la *Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail*.

(3) Lorsqu'il avise l'employeur et le travailleur que, du fait d'une affection due à l'exposition à la silice, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé à la silice, le médecin en avise le comité mixte sur la santé et la sécurité, par écrit et de façon confidentielle, et indique son opinion quant à l'interprétation à donner à cette conclusion.

(4) Le médecin qui effectue l'examen ou les tests donne une copie du dossier d'exposition et du dossier et des résultats des examens physiques et des tests cliniques du travailleur :

- a) au travailleur ou au médecin du travailleur, sur demande écrite du travailleur;
- b) dans le cas d'un travailleur décédé, au plus proche parent ou au représentant successoral du travailleur, sur demande écrite de ce parent ou de ce représentant.

Est nulle toute autorisation donnée à une autre personne par le travailleur ou son plus proche parent ou représentant successoral.

(5) Si le médecin avise l'employeur que, du fait d'une affection due à l'exposition à la silice, le travailleur est apte avec restrictions ou inapte à un travail où il serait exposé à la silice, il communique sans délai cet avis au médecin provincial du ministère du Travail.

17. Pour l'application du présent règlement, les méthodes qui peuvent être utilisées ou adoptées peuvent différer de celles contenues dans les codes publiés par le ministère, à condition que la protection conférée par ces méthodes ou que les facteurs de précision et d'exactitude utilisés ou adoptés équivalent au moins à la protection ou aux facteurs contenus dans les codes publiés par le ministère.

#### ANNEXE

L'exposition moyenne pondérée selon la durée d'un travailleur à la silice en suspension dans l'air est calculée, pour une semaine de 40 heures et une journée de huit heures, comme suit :

1. Les concentrations moyennes de silice auxquelles le travailleur est exposé sont déterminées à partir de l'analyse des échantillons d'air prélevés de façon à représenter l'exposition du travailleur à la silice durant son travail, conformément aux méthodes normalisées d'échantillonnage et d'analyse de l'air d'un lieu de travail.
2. Les analyses donnent les concentrations de silice dans l'air exprimées en milligrammes de silice par mètre cube d'air.
3. Les concentrations sont multipliées par la durée exprimée en heures de l'exposition présumée du travailleur à ces concentrations.
4. L'exposition hebdomadaire est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition hebdomadaire cumulative}$$

où

$C_1$  est la concentration mesurée dans l'échantillon d'air;

$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une semaine.

5. L'exposition hebdomadaire moyenne pondérée selon la durée est calculée en divisant l'exposition hebdomadaire cumulative par 40.
6. L'exposition quotidienne est calculée de la façon suivante :

$$C_1T_1 + C_2T_2 + \dots + C_nT_n = \text{exposition quotidienne cumulative}$$

où

$C_1$  est la concentration mesurée dans l'échantillon d'air;

$T_1$  est la durée totale en heures de l'exposition présumée du travailleur à la concentration  $C_1$  au cours d'une journée.

7. L'exposition quotidienne moyenne pondérée selon la durée est calculée en divisant l'exposition quotidienne cumulative par 8.



**ONTARIO REGULATION 156/08**

made under the

**HEALTH INSURANCE ACT**

Made: May 14, 2008

Filed: May 21, 2008

Published on e-Laws: May 22, 2008

Printed in *The Ontario Gazette*: June 7, 2008Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) Item 29 of Table 2 of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out “On or after November 1, 2007” in Column 1 and substituting “On or after November 1, 2007 but before July 1, 2008”.

(2) Table 2 of the Regulation is amended by adding the following item:

30.	On or after July 1, 2008 but before November 1, 2008	Person with no dependants — maximum estimated income \$1,700.02	Estimated income less \$122.00	Estimated income less \$122.00, divided by 30.4167
		Person with one dependant — maximum aggregate estimated incomes \$8,222.00	Aggregate estimated incomes less \$3,487.00, divided by 3	Aggregate estimated incomes less \$3,487.00, divided by 91.2
		Person with two dependants — maximum aggregate estimated incomes \$8,721.00	Aggregate estimated incomes less \$3,986.00, divided by 3	Aggregate estimated incomes less \$3,986.00, divided by 91.2
		Person with three dependants — maximum aggregate estimated incomes \$9,176.00	Aggregate estimated incomes less \$4,441.00, divided by 3	Aggregate estimated incomes less \$4,441.00, divided by 91.2
		Person with four or more dependants — maximum aggregate estimated incomes \$9,582.00	Aggregate estimated incomes less \$4,847.00, divided by 3	Aggregate estimated incomes less \$4,847.00, divided by 91.2
		Person not referred to elsewhere in this item	\$1,578.02	\$51.88

(3) Table 2 of the Regulation is amended by adding the following item:

31.	On or after November 1, 2008	Person with no dependants — maximum estimated income \$1,703.02	Estimated income less \$125.00	Estimated income less \$125.00, divided by 30.4167
		Person with one dependant — maximum aggregate estimated incomes \$8,222.00	Aggregate estimated incomes less \$3,487.00, divided by 3	Aggregate estimated incomes less \$3,487.00, divided by 91.2
		Person with two dependants — maximum aggregate estimated incomes \$8,721.00	Aggregate estimated incomes less \$3,986.00, divided by 3	Aggregate estimated incomes less \$3,986.00, divided by 91.2
		Person with three dependants — maximum aggregate estimated incomes \$9,176.00	Aggregate estimated incomes less \$4,441.00, divided by 3	Aggregate estimated incomes less \$4,441.00, divided by 91.2
		Person with four or more dependants — maximum aggregate estimated incomes \$9,582.00	Aggregate estimated incomes less \$4,847.00, divided by 3	Aggregate estimated incomes less \$4,847.00, divided by 91.2
		Person not referred to elsewhere in this item	\$1,578.02	\$51.88



2. (1) Subject to subsection (2), this Regulation comes into force on July 1, 2008.

(2) Subsection 1 (3) comes into force on November 1, 2008.

23/08

## ONTARIO REGULATION 157/08

made under the

### HOMES FOR THE AGED AND REST HOMES ACT

Made: May 14, 2008

Filed: May 21, 2008

Published on e-Laws: May 22, 2008

Printed in *The Ontario Gazette*: June 7, 2008

Amending Reg. 637 of R.R.O. 1990  
(General)

Note: Regulation 637 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. (1) Paragraph 2 of subsection 39.3 (3) of Regulation 637 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$1,004.36.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$1,026.56.

(2) Paragraph 2 of subsection 39.3 (4) of the Regulation is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$33.02.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$33.75.

2. Paragraph 1 of subsection 39.3.1 (1) of the Regulation is revoked and the following substituted:

- 1. A long-stay resident for whom the maximum monthly amount is determined to be \$1,026.56 under section 39.3.

3. (1) Item 13 of Table 3 of the Regulation is amended by adding “to and including June 30, 2008” after “July 1, 2007” in Column 1.

(2) Table 3 of the Regulation is amended by adding the following item:

14.	From and including July 1, 2008	33.75	1,578.02	51.88	1,821.35	59.88	2,125.52	69.88
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4. This Regulation comes into force on July 1, 2008.

23/08

**ONTARIO REGULATION 158/08**  
made under the  
**CHARITABLE INSTITUTIONS ACT**

Made: May 14, 2008  
Filed: May 21, 2008  
Published on e-Laws: May 22, 2008  
Printed in *The Ontario Gazette*: June 7, 2008

Amending Reg. 69 of R.R.O. 1990  
(General)

Note: Regulation 69 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraph 2 of subsection 43 (3) of Regulation 69 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$1,004.36.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$1,026.56.

**(2) Paragraph 2 of subsection 43 (4) of the Regulation is revoked and the following substituted:**

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$33.02.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$33.75.

**2. Paragraph 1 of subsection 43.1 (1) of the Regulation is revoked and the following substituted:**

- 1. A long-stay resident for whom the maximum monthly amount is determined to be \$1,026.56. under section 43.

**3. (1) Item 13 of Table 4 of the Regulation is amended by adding “to and including June 30, 2008” after “July 1, 2007” in Column 1.**

**(2) Table 4 of the Regulation is amended by adding the following item:**

14.	From and including July 1, 2008	33.75	1,578.02	51.88	1,821.35	59.88	2,125.52	69.88
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**4. This Regulation comes into force on July 1, 2008.**

23/08

**ONTARIO REGULATION 159/08**  
made under the  
**NURSING HOMES ACT**

Made: May 14, 2008  
Filed: May 21, 2008  
Published on e-Laws: May 22, 2008  
Printed in *The Ontario Gazette*: June 7, 2008

Amending Reg. 832 of R.R.O. 1990  
(General)

Note: Regulation 832 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraph 2 of subsection 116 (3) of Regulation 832 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$1004.36.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$1,026.56.

**(2) Paragraph 2 of subsection 116 (4) of the Regulation is revoked and the following substituted:**

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2007 but before July 1, 2008, \$33.02.
- ii. In the case of an application for a reduction made on or after July 1, 2008, \$33.75.

**2. Paragraph 1 of subsection 116.1 (1) of the Regulation is revoked and the following substituted:**

- 1. A long-stay resident for whom the maximum monthly amount is determined to be \$1,026.56 under section 116.

**3. (1) Item 13 of Table 3 of the Regulation is amended by adding "to and including June 30, 2008" after "July 1, 2007" in Column 1.**

**(2) Table 3 of the Regulation is amended by adding the following item:**

14.	From and including July 1, 2008	33.75	1,578.02	51.88	1,821.35	59.88	2,125.52	69.88
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**4. This Regulation comes into force on July 1, 2008.**

23/08

## ONTARIO REGULATION 160/08

made under the

### MINISTRY OF REVENUE ACT

Made: May 21, 2008

Filed: May 23, 2008

Published on e-Laws: May 23, 2008

Printed in *The Ontario Gazette*: June 7, 2008

## PENSION MATTERS, CERTAIN FORMER EMPLOYEES

### Interpretation

1. (1) In this Regulation,

"Ontario employment period" means, in relation to a person who is an eligible former employee under section 6.1 of the Act, the period that ends immediately before he or she becomes an employee of the Canada Revenue Agency.

(2) In this Regulation, a reference to an eligible former employee's pension plan is a reference to the Public Service Pension Plan (Ontario) or the OPSEU Pension Plan (Ontario), whichever is applicable.

### Notice about pension benefits

2. The following information is prescribed, for the purposes of clause 6.1 (5) (a) of the Act, as information that must be set out in the notice to be given to an eligible former employee who is a member of the Public Service Pension Plan (Ontario) or the OPSEU Pension Plan (Ontario), as the case may be:

- 1. The eligible former employee's years of employment for the purpose of the calculation of pension benefits under the pension plan, determined as of the end of his or her Ontario employment period.
- 2. The accumulated amount of the contributions made to the pension fund by the eligible former employee, including interest credited to the contributions, determined as of the end of his or her Ontario employment period.
- 3. The eligible former employee's normal retirement date under the pension plan.
- 4. The amount of the annual pension that would be payable at the normal retirement date to the eligible former employee, determined as of the end of the eligible former employee's Ontario employment period, setting out the amount as calculated before, and after, any applicable reduction on account of integration of the pension benefit with a pension payable under the *Canada Pension Plan*, *Quebec Pension Plan* or the *Old Age Security Act* (Canada).



5. The formula by which the eligible former employee's deferred pension under the pension plan would be integrated with a pension payable under the *Canada Pension Plan*, *Quebec Pension Plan* or the *Old Age Security Act* (Canada) and the amount of the resulting reduction to the deferred pension at the normal retirement date.
6. The earliest date on which the eligible former employee would be eligible to receive an unreduced pension under the pension plan, assuming that he or she continued to receive credit under the pension plan for his or her years of employment by the Canada Revenue Agency for the purpose of determining his or her eligibility for benefits under the pension plan.
7. The amount of the annual pension that would be payable at the date described in paragraph 6 to the eligible former employee, based on the assumption described in that paragraph, and a statement setting out when the annual amount would be reduced on account of integration of the pension benefit with a pension payable under the *Canada Pension Plan*, *Quebec Pension Plan* or the *Old Age Security Act* (Canada) and indicating the amount of the reduced pension.
8. A description of any early retirement benefits in respect of the eligible former employee's Ontario employment period that may be payable to him or her when he or she reaches 55 years of age or thereafter, if the eligible former employee has ceased to be employed by the Canada Revenue Agency, and any options respecting the early retirement benefits.
9. Any indexation provisions that would be applicable to the eligible former employee's deferred pension under the pension plan.
10. A statement indicating that the eligible former employee may be entitled to a payment from the pension plan after transferring his or her accrued pension credits under the pension plan to the Public Service Superannuation Plan (Canada),
  - i. if the amount of his or her entitlements under the pension plan is greater than the amount transferred from the pension plan to the Public Service Superannuation Plan (Canada) in connection with the transfer of his or her accrued pension credits, and
  - ii. if the applicable reciprocal transfer agreement authorizes such a payment to the eligible former employee in those circumstances.

#### Commencement

3. This Regulation comes into force on the day it is filed.

Made by:

DWIGHT DOUGLAS DUNCAN  
Minister of Finance

Date made: May 21, 2008.

23/08

## ONTARIO REGULATION 161/08

made under the

## COURTS OF JUSTICE ACT

Made: April 2, 2008

Filed: May 23, 2008

Published on e-Laws: May 26, 2008

Printed in *The Ontario Gazette*: June 7, 2008

## REMUNERATION OF DEPUTY JUDGES

#### Remuneration, per diem rates

1. An individual who holds office as a deputy judge on or after January 1, 2005 shall be paid on a per diem basis at the following rate for each day on which he or she is entitled to remuneration:

1. From January 1, 2005 to December 31, 2005, the rate is \$475.
2. From January 1, 2006 to December 31, 2006, the rate is \$486.
3. From January 1, 2007 to December 31, 2007, the rate is \$498.
4. From January 1, 2008 to December 31, 2008, the rate is \$513.
5. On and after January 1, 2009, the rate is \$528.

**Commencement**

2. This Regulation comes into force on the day it is filed.

**RÈGLEMENT DE L'ONTARIO 161/08**

pris en application de la

**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 2 avril 2008  
déposé le 23 mai 2008  
publié sur le site Lois-en-ligne le 26 mai 2008  
imprimé dans la *Gazette de l'Ontario* le 7 juin 2008

**RÉMUNÉRATION DES JUGES SUPPLÉANTS****Rémunération : tarifs journaliers**

1. Le particulier qui occupe un poste de juge suppléant le 1<sup>er</sup> janvier 2005 ou par la suite est rémunéré sur une base journalière au tarif suivant pour chaque jour auquel il a droit à une rémunération :

1. Du 1<sup>er</sup> janvier 2005 au 31 décembre 2005, le tarif est de 475 \$.
2. Du 1<sup>er</sup> janvier 2006 au 31 décembre 2006, le tarif est de 486 \$.
3. Du 1<sup>er</sup> janvier 2007 au 31 décembre 2007, le tarif est de 498 \$.
4. Du 1<sup>er</sup> janvier 2008 au 31 décembre 2008, le tarif est de 513 \$.
5. À partir du 1<sup>er</sup> janvier 2009, le tarif est de 528 \$.

**Entrée en vigueur**

2. Le présent règlement entre en vigueur le jour de son dépôt.

23/08

**CORRECTION**

To Ontario Regulation 361/07 under the *Private Security and Investigative Services Act, 2005* as published in the August 4, 2007 issue of The Ontario Gazette.

The French version of section 5 should have referred to "Règlement de l'Ontario 360/07" instead of "Règlement de l'Ontario 360/06".

**AVIS DE CORRECTION**

Règlement de l'Ontario 361/07 pris en application de la *Loi de 2005 sur les services privés de sécurité et d'enquête* et publié dans le numéro du 4 août 2007 de la *Gazette de l'Ontario*.

La version française de l'article 5 aurait dû dire «Règlement de l'Ontario 360/07» au lieu de «Règlement de l'Ontario 360/06».

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).



**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—06—14

**ONTARIO REGULATION 162/08**

made under the

**ONTARIO PLANNING AND DEVELOPMENT ACT, 1994**

Made: May 26, 2008

Filed: May 26, 2008

Published on e-Laws: May 27, 2008

Printed in *The Ontario Gazette*: June 14, 2008

Amending O. Reg. 482/73

(County of Halton (now The Regional Municipality of Halton), City of Burlington)

Note: Ontario Regulation 482/73 has previously been amended. Those amendments are listed in the Table of Unconsolidated and Unrevoked Regulations which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subparagraph 1 v of subsection 2 (2) of Ontario Regulation 482/73 is amended by adding the following sub-subparagraph:**

C. That parcel of land in the City of Burlington (formerly in the Township of East Flamborough) in The Regional Municipality of Halton, being part of Lots 11 and 12 in Concession 2, and part of Lot 33 on Registrar's Compiled Plan 1333 and identified as Property Identification Number 07191-0177 (LT), registered in the Land Registry office for the Land Titles Division of Halton (No. 20).

**2. Section 30 of the Regulation is revoked.**

**3. Schedule 17 to the Regulation is revoked.**

**4. This Regulation comes into force on the day it is filed.**

Made by:

BRUCE SINGBUSH  
*Regional Director (Acting)*  
*Municipal Services Office — Central Region*  
*Ministry of Municipal Affairs and Housing*

Date made: May 26, 2008.

24/08

**ONTARIO REGULATION 163/08**

made under the

**PRIVATE SECURITY AND INVESTIGATIVE SERVICES ACT, 2005**

Made: May 26, 2008

Filed: May 26, 2008

Published on e-Laws: May 27, 2008

Printed in *The Ontario Gazette*: June 14, 2008

Revoking O. Reg. 463/07

(Training and Testing)

Note: Ontario Regulation 463/07 has not previously been amended.

1. Ontario Regulation 463/07 is revoked.
2. This Regulation comes into force on the day it is filed.

**RÈGLEMENT DE L'ONTARIO 163/08**

pris en application de la

**LOI DE 2005 SUR LES SERVICES PRIVÉS DE SÉCURITÉ ET D'ENQUÊTE**

pris le 26 mai 2008

déposé le 26 mai 2008

publié sur le site Lois-en-ligne le 27 mai 2008

imprimé dans la *Gazette de l'Ontario* le 14 juin 2008

abrogeant le Règl. de l'Ont. 463/07

(Formation et administration de tests)

Remarque : Le Règlement de l'Ontario 463/07 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 463/07 est abrogé.
2. Le présent règlement entre en vigueur le jour de son dépôt.

Made by:

Pris par :

*Le ministre de la Sécurité communautaire et des Services correctionnels,***RICK BARTOLUCCI***Minister of Community Safety and Correctional Services*

Date made: May 26, 2008.

Pris le : 26 mai 2008.

**ONTARIO REGULATION 164/08**

made under the

**LONG-TERM CARE ACT, 1994**

Made: May 14, 2008

Filed: May 30, 2008

Published on e-Laws: May 30, 2008

Printed in *The Ontario Gazette*: June 14, 2008Amending O. Reg. 386/99  
(Provision of Community Services)

Note: Ontario Regulation 386/99 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Ontario Regulation 386/99 is amended by adding the following subsection:**

(2) A reference in this Regulation,

- (a) to an hour of service is a reference to an hour of service received by a person, no matter how many persons provide service to the person during that hour;
- (b) to a visit is a reference to a single visit to a person, no matter how many persons participate in that visit.

**2. (1) Paragraph 1 of subsection 3 (1) of the Regulation is revoked and the following substituted:**

- 1. 120 hours, in the first 30 days of service.

**(2) Paragraph 2 of subsection 3 (1) of the Regulation is amended by striking out “60” at the beginning and substituting “90”.**

**(3) Subsection 3 (3) of the Regulation is revoked and the following substituted:**

(3) Despite subsection (1), if a community care access centre determines that extraordinary circumstances exist that justify the provision of additional services, the community care access centre may provide more than the maximum number of hours of homemaking and personal support services set out in that subsection,

- (a) to a person who is in the last stages of life;
- (b) to a person who is awaiting admission to a long-term care home, and who has been placed on a waiting list by a placement co-ordinator under one of the following regulations and is currently on that list:
  - (i) Regulation 69 of the Revised Regulations of Ontario, 1990 (General) made under the *Charitable Institutions Act*,
  - (ii) Regulation 637 of the Revised Regulations of Ontario, 1990 (General) made under the *Homes for the Aged and Rest Homes Act*,
  - (iii) Regulation 832 of the Revised Regulations of Ontario, 1990 (General) made under the *Nursing Homes Act*; or
- (c) for no more than 90 days in any 12-month period, to any other person.

**3. Paragraphs 1 and 2 of subsection 4 (1) of the Regulation are revoked and the following substituted:**

- 1. 120 visits from a registered nurse or a registered practical nurse in a 30-day period.
- 2. The following number of hours of service in a 30-day period:
  - i. if services are provided by registered nurses, 184 hours of service,
  - ii. if services are provided by registered practical nurses, 227 hours of service, or
  - iii. if the services are provided by both registered nurses and registered practical nurses, 206 hours of service.

**4. This Regulation comes into force on the day it is filed.**



NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)).

**Publications under Part III (Regulations) of the Legislation Act, 2006  
Règlements publiés en application de la partie III (Règlements)  
de la Loi de 2006 sur la législation**

2008—06—21

**ONTARIO REGULATION 165/08**

made under the

**ONTARIO NEW HOME WARRANTIES PLAN ACT**

Made: May 8, 2008

Filed: June 2, 2008

Published on e-Laws: June 3, 2008

Printed in *The Ontario Gazette*: June 21, 2008

**WARRANTY FOR DELAYED CLOSING OR DELAYED OCCUPANCY**

**DEFINITIONS**

**Definitions**

1. In this Regulation,

“condominium home” means a home of a type described in clause (c) of the definition of “home” in section 1 of the Act;

“condominium phase” has the meaning set out in the definition of “phase” in subsection 145 (3) of the *Condominium Act, 1998*;

“condominium project” means the land and interests appurtenant to the land, as the land and interests are described or proposed to be described in any description required by the *Condominium Act, 1998* and includes units and proposed units, as those terms are defined in that Act, that are to be used as homes;

“freehold home” means a home of a type described in clause (a) or (b) of the definition of “home” in section 1 of the Act;

“phased condominium corporation” and “vacant land condominium corporation” have the same meaning as in subsection 1 (1) of the *Condominium Act, 1998*;

“purchase agreement” and “purchaser” have the same meaning as in Regulation 892 of the Revised Regulations of Ontario, 1990 (Administration of the Plan) made under the Act;

“vacant land condominium home” means a home constructed on a unit in a vacant land condominium corporation and sold by a vendor to a purchaser at the same time as the unit, where occupancy of the home is not provided before the closing of the sale of the unit.

**PURCHASE AGREEMENTS ENTERED INTO BEFORE JULY 1, 2008**

**Delayed closing, freehold homes**

2. (1) This section applies to a purchase agreement that the parties have entered into before July 1, 2008 for a freehold home with a closing date fixed on or after September 1, 1988.

(2) Every vendor under a purchase agreement to which this section applies warrants to the owner that the vendor shall comply with the Addendum to the purchase agreement that is set out in paragraph 12 of section 1 of Regulation 894 of the Revised Regulations of Ontario (Terms and Conditions of Registration of Builders and Vendors) made under the Act.

(3) Every vendor under a purchase agreement to which this section applies warrants to the owner that the vendor shall compensate the owner in accordance with subsection (4) in the event of,

(a) a delay in closing that is more than five days beyond the later of the date originally fixed for closing the purchase agreement and the closing date as extended under clause (6) (a) or (b), if the delay commences on or before June 30, 2009; or

(b) a delay in closing beyond the later of the date originally fixed for closing the purchase agreement and the closing date as extended under clause (6) (a) or (b), if the delay commences after June 30, 2009.

(4) The compensation mentioned in subsection (3) shall be for all direct costs caused by the delay that the owner incurs in an amount that does not exceed \$100 a day for living expenses and \$5,000 in total.

(5) Subsection (3) does not apply to the period of delay in closing caused by a strike, fire, flood, act of God or civil insurrection.

(6) Subject to paragraph 5 of the Addendum mentioned in subsection (2), subsection (3) does not apply if,

- (a) the vendor extends the closing beyond the original closing date after giving written notice to the purchaser at least 65 days before the original closing date; or
- (b) the vendor extends the closing for not more than 15 days beyond the original closing date or beyond the extended closing date mentioned in clause (a), after giving written notice to the purchaser at least 35 days before the original closing date or the extended closing date mentioned in clause (a).

(7) A breach of the warranty described in subsection (3) is a breach of warranty for the purposes of subsection 14 (3) of the Act.

(8) No claim for compensation under subsection (3) may be made unless,

- (a) the transaction closes; and
- (b) the claim is made by an owner within one year after the date upon which the home is completed for possession.

(9) If a claim for compensation under subsection (3) is made, compensation shall be calculated from the later of the original closing date and the closing date as extended under clause (6) (a) or (b).

#### **Delayed occupancy, condominium homes**

3. (1) Subject to subsections (2) and (3), this section applies to a purchase agreement that the parties have entered into on or after April 1, 1991 and before July 1, 2008 for a condominium home.

(2) If, before July 1, 2008, parties have entered into one or more arm's length purchase agreements in good faith for condominium homes in a condominium project, other than one involving a phased condominium corporation or a vacant land condominium corporation, this section applies to all purchase agreements for all condominium homes in the condominium project and section 6 does not apply to any of those purchase agreements.

(3) If, before July 1, 2008, parties have entered into one or more arm's length purchase agreements in good faith for condominium homes in a condominium phase, this section applies to all purchase agreements for all condominium homes in the condominium phase and section 6 does not apply to any of those purchase agreements.

(4) Every vendor under a purchase agreement to which this section applies warrants to the purchaser that the vendor shall compensate the owner in accordance with subsection (5) in the event of,

- (a) a delay in occupancy of the condominium home that is more than five days beyond the later of the confirmed occupancy date fixed as set out in subsections (7) and (8) and the confirmed occupancy date as extended under clause (12) (a) or (b), if the delay commences on or before June 30, 2009; or
- (b) a delay in occupancy of the condominium home beyond the later of the confirmed occupancy date fixed as set out in subsections (7) and (8) and the confirmed occupancy date as extended under clause (12) (a) or (b), if the delay commences after June 30, 2009.

(5) The compensation mentioned in subsection (4) shall be for all direct costs caused by the delay that the purchaser incurs in an amount that does not exceed \$100 a day for living expenses and \$5,000 in total.

(6) Subsection (4) does not apply to a period of delay in occupancy caused by strike, fire, flood, act of God or civil insurrection.

(7) Every purchase agreement to which this section applies shall contain a confirmed occupancy date or a tentative occupancy date, clearly identified as such.

(8) If the purchase agreement contains a tentative occupancy date, a confirmed occupancy date shall be established by written notice delivered to the purchaser,

- (a) not more than 30 days after the completion of the roof slab or of the roof trusses and sheathing, as the case may be, or on an earlier date or event set out in the purchase agreement; and
- (b) at least 120 days before the confirmed occupancy date.

(9) A confirmed occupancy date established under subsection (8) shall not differ from the tentative occupancy date unless the purchase agreement so permits.

(10) If a tentative occupancy date has been given and the vendor fails to set a confirmed occupancy date as specified in subsection (8) at least 90 days before the tentative occupancy date, the tentative occupancy date becomes the confirmed occupancy date for the purpose of calculating compensation under subsection (4).



(11) If the vendor is able to provide occupancy before the confirmed occupancy date, the vendor warrants that occupancy before that date will not be required unless the purchaser consents in writing, and upon such consent, the revised date becomes the confirmed occupancy date for the purpose of calculating compensation payable under subsection (4).

(12) The vendor may extend the confirmed occupancy date,

- (a) by a maximum of 120 days if the vendor gives written notice to the purchaser at least 65 days before the confirmed occupancy date; or
- (b) by a maximum of 15 days if the vendor gives written notice to the purchaser at least 35 days before the confirmed occupancy date or an extension of it under clause (a).

(13) A breach of the warranty described in subsection (4) is a breach of warranty for the purposes of subsection 14 (3) of the Act.

(14) No claim for compensation under subsection (4) may be made unless,

- (a) it is made within one year after the date of possession;
- (b) the condominium home is occupied; and
- (c) the purchaser is not in default of the purchaser's obligations under the purchase agreement.

(15) If a claim for compensation under subsection (4) is made, compensation shall be calculated from the later of the confirmed occupancy date and the confirmed occupancy date as extended under clause (12) (a) or (b).

#### Notice

4. (1) Subject to subsections (2) and (3), for the purposes of sections 2 and 3, written notice may either be given personally or sent by prepaid ordinary mail to the purchaser at the address in the purchase agreement or at the last known address.

(2) Written notice shall not be sent by mail if there is a postal stoppage or interruption at the time the notice is sent, but rather shall be given personally.

(3) If written notice is sent by mail within five days before a postal stoppage or interruption commences or during such a stoppage or interruption, the sending of the notice shall not be effective.

(4) Subject to subsection (3), the purchaser is deemed to have received written notice sent by mail on the fifth business day after the date of its mailing.

### PURCHASE AGREEMENTS ENTERED INTO ON OR AFTER JULY 1, 2008

#### Delayed closing

5. (1) If parties enter into a purchase agreement for a freehold home or a vacant land condominium home on or after July 1, 2008, the following are conditions of registration under the Plan:

1. The vendor shall ensure that the parties complete the applicable one of the following documents, for which the form is available for inspection at the offices of the Corporation during normal business hours, and that the completed document forms part of the purchase agreement:
  - i. The Freehold Home Addendum (Tentative Closing Date) dated April 20, 2008.
  - ii. The Freehold Home Addendum (Firm Closing Date) dated April 20, 2008.
2. Upon request, the vendor shall furnish to the Registrar proof that the applicable document described in paragraph 1, as completed by the parties, forms part of the purchase agreement.

(2) If parties enter into a purchase agreement for a freehold home or a vacant land condominium home on or after July 1, 2008, the vendor warrants to the purchaser that the vendor will comply with the requirements applicable to the home that are imposed by section 9 of the Freehold Home Addendum (Tentative Closing Date) or the Freehold Home Addendum (Firm Closing Date), as the case may be, that paragraph 1 of subsection (1) requires form part of the purchase agreement, even if the vendor has not complied with that paragraph.

#### Delayed occupancy

6. (1) Subject to subsections 3 (2) and (3), if, on or after July 1, 2008, parties enter into a purchase agreement for a condominium home, other than a vacant land condominium home, the following are conditions of registration under the Plan:

1. The vendor shall ensure that the parties complete the applicable one of the following documents, for which the form is available for inspection at the offices of the Corporation during normal business hours, and that the completed document forms part of the purchase agreement:
  - i. The Condominium Home Addendum (Tentative Occupancy Date) dated April 20, 2008.
  - ii. The Condominium Home Addendum (Firm Occupancy Date) dated April 20, 2008.

2. Upon request, the vendor shall furnish to the Registrar proof that the applicable document described in paragraph 1, as completed by the parties, forms part of the purchase agreement.

(2) Subject to subsections 3 (2) and (3), if, on or after July 1, 2008, parties enter into a purchase agreement for a condominium home, other than a vacant land condominium home, the vendor warrants to the purchaser that the vendor will comply with the requirements applicable to the home that are imposed by section 9 of the Condominium Home Addendum (Tentative Closing Date) or the Condominium Home Addendum (Firm Closing Date), as the case may be, that paragraph 1 of subsection (1) requires form part of the purchase agreement, even if the vendor has not complied with that paragraph.

Made by:

TARION WARRANTY CORPORATION:

HARRY HERSKOWITZ  
Chairman

ALEX W. MACFARLANE  
Corporate Secretary

Date made by the directors: May 8, 2008.

Date confirmed by the members in accordance with the *Corporations Act*: May 8, 2008.

ALEX W. MACFARLANE  
Corporate Secretary

Date certified: May 29, 2008.

25/08

## ONTARIO REGULATION 166/08

made under the

### ONTARIO NEW HOME WARRANTIES PLAN ACT

Made: May 8, 2008

Filed: June 2, 2008

Published on e-Laws: June 3, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending Reg. 892 of R.R.O. 1990

(Administration of the Plan)

Note: Regulation 892 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. The following provisions of Regulation 892 of the Revised Regulations of Ontario, 1990 are amended by striking out “section 17” wherever that expression appears and substituting in each case “Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act”:

1. Subsection 4 (5).
  2. Subsection 4 (6).
  3. Clause 4.1 (1) (b).
  4. Subsection 5 (0.1).
2. Section 17 of the Regulation is revoked.



**3. Section 19.1 of the Regulation is revoked.**

**4. Section 20 of the Regulation is amended by striking out “subsection 17 (1)” in the portion before clause (a).**

**5. Section 21 of the Regulation is revoked and the following substituted:**

**21. (1)** Subject to subsections (2) and (3), for the purposes of section 18, written notice may be given personally or sent by electronic mail, fax, courier or registered mail to the purchaser at the address or contact numbers specified in the purchase agreement or at any replacement address or contact numbers supplied in accordance with the purchase agreement.

(2) Written notice under section 18 shall not be sent by registered mail if there is a postal stoppage or interruption at the time the notice is sent.

(3) If written notice under section 18 is sent by registered mail within five days before a postal stoppage or interruption commences or during such a stoppage or interruption, the sending of the notice shall not be effective.

(4) Written notice given or sent in accordance with this section is deemed to have been given and received,

(a) on the day of delivery or sending, if the notice was given personally or sent by electronic mail or fax and that day is a business day;

(b) on the next business day after the day of delivery or sending, if the notice was given personally or sent by electronic mail or fax and the day of delivery or sending is not a business day;

(c) on the second business day after the day of sending, if sent by courier; and

(d) subject to subsection (3), on the fifth business day after the day of sending, if sent by registered mail.

**6. Section 22 of the Regulation is revoked.**

**7. Subsections 23 (1) and (2) of the Regulation are revoked.**

**8. Section 24 of the Regulation is revoked.**

**9. Paragraph 6 of Schedule A to the Regulation is revoked and the following substituted:**

Delayed Closing and Delayed Occupancy Fees		
6. (1)	This paragraph applies to claims for compensation made under section 2 or 3 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act for delayed closing or delayed occupancy.	
(2)	In this paragraph,	
	“Delayed Occupancy Administration Fee” means the fee payable by the vendor fixed by the Corporation for a request for conciliation of a claim made under section 2 or 3 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act, for every home with a date of possession on or after May 1, 2004, in accordance with the Corporation’s administrative procedures;	
	“Delayed Occupancy Re-assessment Fee” means the fee payable by the vendor fixed by the Corporation for re-assessment of a decision of the Corporation in respect of a claim made under section 2 or 3 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act, for every home with a date of possession on or after May 1, 2004, in accordance with the Corporation’s administrative procedures.	
(3)	This paragraph applies, and paragraph 5 of this Schedule does not apply, to all requests for conciliation of a claim made under section 2 or 3 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act, for every home with a date of possession on or after May 1, 2004.	
(4)	The Delayed Occupancy Administration Fee is:	
	(a) for all homes with a date of possession between May 1, 2004 and December 31, 2004, both inclusive	600
	(b) for all homes with a date of possession between January 1, 2005 and December 31, 2005, both inclusive	1,200
	(c) for all homes with a date of possession on or after January 1, 2006	600
(5)	Delayed Occupancy Re-assessment Fee, which is non-refundable, is	350
7. (1)	This paragraph applies to claims for compensation made under section 5 or 6 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act for delayed closing or delayed occupancy.	
(2)	In this paragraph,	
	“Delayed Closing or Occupancy Administration Fee” means the fee payable by the vendor fixed by the Corporation in respect of a claim for compensation made under section 5 or 6 of Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act if a conciliation is needed to settle the claim and if the Corporation pays any part of the claim.	
(3)	The Delayed Closing or Occupancy Administration Fee is	500

**10. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 166/08**

pris en application de la

**LOI SUR LE RÉGIME DE GARANTIES DES LOGEMENTS NEUFS DE L'ONTARIO**

pris le 8 mai 2008

déposé le 2 juin 2008

publié sur le site Lois-en-ligne le 3 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. 892 des R.R.O. de 1990

(Administration du régime)

Remarque : Le Règlement 892 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. Les dispositions suivantes du Règlement 892 des Règlements refondus de l'Ontario de 1990 sont modifiées par substitution de «du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi» à «de l'article 17» partout où figure cette expression :**

**1. Le paragraphe 4 (5).**

**2. Le paragraphe 4 (6).**

**3. L'alinéa 4.1 (1) b).**

**4. Le paragraphe 5 (0.1).**

**2. L'article 17 du Règlement est abrogé.**

**3. L'article 19.1 du Règlement est abrogé.**

**4. L'article 20 du Règlement est modifié par suppression de «17 (1) ou» dans le passage qui précède l'alinéa a).**

**5. L'article 21 du Règlement est abrogé et remplacé par ce qui suit :**

**21. (1)** Sous réserve des paragraphes (2) et (3), pour l'application de l'article 18, l'avis écrit peut être donné en personne à l'acheteur ou lui être envoyé par courrier électronique, télécopie, messenger ou courrier enregistré à l'adresse ou selon les coordonnées figurant dans la convention d'achat ou à toute autre adresse ou selon toutes autres coordonnées fournies conformément à la convention.

(2) L'avis écrit prévu à l'article 18 ne doit pas être envoyé par courrier enregistré en cas d'arrêt ou d'interruption des services postaux au moment de l'envoi.

(3) Est sans effet l'envoi de l'avis écrit prévu à l'article 18 qui se fait par courrier enregistré dans les cinq jours précédant un arrêt ou une interruption des services postaux ou pendant un tel arrêt ou une telle interruption.

(4) L'avis écrit donné ou envoyé conformément au présent article est réputé donné et reçu :

a) le jour de la remise ou de l'envoi, s'il est donné en personne ou envoyé par courrier électronique ou télécopie un jour ouvrable;

b) le jour ouvrable suivant le jour de la remise ou de l'envoi, s'il est donné en personne ou envoyé par courrier électronique ou télécopie un jour qui n'est pas ouvrable;

c) le deuxième jour ouvrable suivant le jour de l'envoi, s'il est envoyé par messenger;

d) sous réserve du paragraphe (3), le cinquième jour ouvrable suivant le jour de l'envoi, s'il est envoyé par courrier enregistré.

**6. L'article 22 du Règlement est abrogé.**

**7. Les paragraphes 23 (1) et (2) du Règlement sont abrogés.**

**8. L'article 24 du Règlement est abrogé.**

**9. La disposition 6 de l'annexe A du Règlement est abrogée et remplacée par ce qui suit :**

Droits : retard de conclusion et retard d'occupation		
6. (1)	La présente disposition s'applique aux demandes d'indemnisation présentées, en raison d'un retard de conclusion ou d'occupation, en vertu de l'article 2 ou 3 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi.	

(2)	Les définitions qui suivent s'appliquent à la présente disposition :	
	«droits en cas de retard d'occupation» Les droits payables par le vendeur que fixe la Société pour une demande de conciliation relative à une réclamation présentée en vertu de l'article 2 ou 3 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi, à l'égard d'un logement dont la date de prise de possession tombe le 1 <sup>er</sup> mai 2004 ou par la suite, conformément à la procédure administrative de la Société.	
	«droits de réexamen en cas de retard d'occupation» Les droits payables par le vendeur que fixe la Société pour le réexamen de sa décision concernant une réclamation présentée en vertu de l'article 2 ou 3 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi, à l'égard d'un logement dont la date de prise de possession tombe le 1 <sup>er</sup> mai 2004 ou par la suite, conformément à la procédure administrative de la Société.	
(3)	La présente disposition s'applique, mais non la disposition 5 de la présente annexe, à toute demande de conciliation relative à une réclamation présentée en vertu de l'article 2 ou 3 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi, à l'égard d'un logement dont la date de prise de possession tombe le 1 <sup>er</sup> mai 2004 ou par la suite.	
(4)	Les droits en cas de retard d'occupation s'établissent comme suit :	
	a) à l'égard des logements dont la date de prise de possession tombe entre le 1 <sup>er</sup> mai 2004 et le 31 décembre 2004, inclusivement	600
	b) à l'égard des logements dont la date de prise de possession tombe entre le 1 <sup>er</sup> janvier 2005 et le 31 décembre 2005, inclusivement	1,200
	c) à l'égard des logements dont la date de prise de possession tombe le 1 <sup>er</sup> janvier 2006 ou par la suite	600
(5)	Les droits de réexamen en cas de retard d'occupation, qui ne sont pas remboursables, s'établissent à	350
7. (1)	La présente disposition s'applique aux demandes d'indemnisation présentées, en raison d'un retard de conclusion ou d'occupation, en vertu de l'article 5 ou 6 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi.	
(2)	La définition qui suit s'applique à la présente disposition :	
	«droits en cas de retard de conclusion ou d'occupation» Les droits payables par le vendeur que fixe la Société à l'égard d'une demande d'indemnisation présentée en vertu de l'article 5 ou 6 du Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi, si une conciliation est nécessaire pour régler la réclamation et que la Société en paie une partie.	
(3)	Les droits en cas de retard de conclusion ou d'occupation s'établissent à	500

#### 10. Le présent règlement entre en vigueur le jour de son dépôt.

Made by:

Pris par :

TARION WARRANTY CORPORATION:

*Le président,*

HARRY HERSKOWITZ  
Chairman

*Le secrétaire de la Société,*

ALEX W. MACFARLANE  
Corporate Secretary

Date made by the directors: May 8, 2008.

Pris par les administrateurs le : 8 mai 2008.

Date confirmed by the members in accordance with the *Corporations Act*: May 8, 2008.  
Ratifié par les membres conformément à la *Loi sur les personnes morales* le : 8 mai 2008.

*Le secrétaire de la Société,*

ALEX W. MACFARLANE  
*Corporate Secretary*

Date certified: May 29, 2008.  
Attesté le : 29 mai 2008.

25/08

## ONTARIO REGULATION 167/08

made under the

### ONTARIO NEW HOME WARRANTIES PLAN ACT

Made: May 8, 2008  
Filed: June 2, 2008  
Published on e-Laws: June 3, 2008  
Printed in *The Ontario Gazette*: July 21, 2008

Amending Reg. 894 of R.R.O. 1990  
(Terms and Conditions of Registration of Builders and Vendors)

Note: Regulation 894 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Section 1 of Regulation 894 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:**

- 11.5 If the Registrar so requests at any time, the registrant shall provide the Registrar with all information relating to the registrant's record of closing delays or occupancy delays that the Registrar reasonably requests.
- 11.6 If the information provided by the registrant under paragraph 11.5 or the results of an examination or interview by the Registrar or an inspection by the Corporation demonstrate that a registrant has not complied with the warranties set out in Ontario Regulation 165/08 (Warranty for Delayed Closing or Delayed Occupancy) made under the Act, the Registrar may require the registrant, as a condition for continuing to be registered, to,
- i. refrain from entering into any purchase agreement until after a particular date or event,
  - ii. disclose to purchasers all information regarding the potential for closing delays or occupancy delays relating to a purchase agreement that the Registrar reasonably requires,
  - iii. limit the number of homes that the registrant constructs,
  - iv. post security with the Corporation, or
  - v. successfully complete a course of study that the Registrar specifies.

**(2) Paragraph 12 of section 1 of the Regulation is amended by striking out the portion before the Addendum and substituting the following:**

12. On request, the registrant shall furnish to the Registrar proof that the following Addendum forms part of every purchase agreement entered into before July 1, 2008 in respect of every home of a type described in clause (a) or (b) of the definition of "home" in section 1 of the Act constructed by the registrant.

**2. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 167/08**

pris en application de la

**LOI SUR LE RÉGIME DE GARANTIES DES LOGEMENTS NEUFS DE L'ONTARIO**

pris le 8 mai 2008

déposé le 2 juin 2008

publié sur le site Lois-en-ligne le 3 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. 894 des R.R.O. de 1990

(Modalités et conditions d'inscription applicables aux constructeurs et aux vendeurs)

Remarque : Le Règlement 894 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) L'article 1 du Règlement 894 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des dispositions suivantes :**

- 11.5 À la demande du registrateur, la personne inscrite lui fournit tous les renseignements que celui-ci demande raisonnablement en ce qui a trait aux retards de conclusion ou d'occupation figurant à son dossier.
- 11.6 Si les renseignements fournis par la personne inscrite en application de la disposition 11.5 ou que les résultats d'un examen ou d'un entretien donné par le registrateur ou d'une inspection effectuée par la Société établissent qu'une personne inscrite ne s'est pas conformée aux garanties énoncées dans le Règlement de l'Ontario 165/08 (Warranty for Delayed Closing or Delayed Occupancy) pris en application de la Loi, le registrateur peut exiger que, comme condition du maintien de l'inscription, la personne :
- i. soit, s'abstienne de conclure toute convention d'achat tant qu'une date particulière ou un événement particulier n'est pas survenu,
  - ii. soit, divulgue aux acheteurs tous les renseignements qu'il exige, en se fondant sur des motifs raisonnables, concernant la possibilité que se produisent des retards de conclusion ou d'occupation relativement à la convention d'achat,
  - iii. soit, limite le nombre de maisons qu'elle construit,
  - iv. soit, dépose un cautionnement auprès de la Société,
  - v. soit, réussisse un cours que précise le registrateur.

**(2) La disposition 12 de l'article 1 du Règlement est modifiée par substitution de ce qui suit au passage qui précède l'addendum :**

12. Sur demande, la personne inscrite fournit au registrateur une preuve établissant que l'addendum suivant fait partie de la convention d'achat conclue avant le 1<sup>er</sup> juillet 2008 pour chaque logement d'un genre visé à l'alinéa a) ou b) de la définition de «logement» à l'article 1 de la Loi qu'elle construit.

**2. Le présent règlement entre en vigueur le jour de son dépôt.**

Made by:

Pris par :

TARION WARRANTY CORPORATION:

*Le président,*HARRY HERSKOWITZ  
*Chairman**Le secrétaire de la Société,*ALEX W. MACFARLANE  
*Corporate Secretary*

Date made by the directors: May 8, 2008.  
Pris par les administrateurs le : 8 mai 2008.

Date confirmed by the members in accordance with the *Corporations Act*: May 8, 2008.  
Ratifié par les membres conformément à la *Loi sur les personnes morales* le : 8 mai 2008.

*Le secrétaire de la Société,*

ALEX W. MACFARLANE  
*Corporate Secretary*

Date certified: May 29, 2008.  
Attesté le : 29 mai 2008.

25/08

## ONTARIO REGULATION 168/08

made under the

### HEALTH INSURANCE ACT

Made: June 2, 2008

Filed: June 3, 2008

Published on e-Laws: June 4, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The definition of “schedule of benefits” in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

11. Amendments dated April 15, 2008 (effective as of June 3, 2008).

**2. (1) Paragraph 26 of subsection 24 (1) of the Regulation is revoked.**

**(2) Paragraph 2 of subsection 24 (2) of the Regulation is revoked and the following substituted:**

2. A service provided by a laboratory, physician or hospital that supports a service that is deemed under paragraph 8, 8.1, 8.2, 10, 13, 16, 17, 21, 22, 23, 25, 27 or 28 of subsection (1) not to be an insured service.

**(3) Subsection 24 (3) of the Regulation is revoked.**

**3. Subsections 28.4 (2.1), (2.2) and (2.3) of the Regulation are revoked.**

**4. This Regulation comes into force on the day it is filed.**

25/08

**ONTARIO REGULATION 169/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: June 2, 2008

Filed: June 4, 2008

Published on e-Laws: June 5, 2008

Printed in *The Ontario Gazette*: June 21, 2008Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 20 of Part 5 of Schedule 21 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**District of Algoma — Garden River Indian Reserve**

20. That part of the King's Highway known as No. 17 in the Garden River Indian Reserve No. 14 in the Territorial District of Algoma beginning at a point situate 700 metres measured northerly from its intersection with the King's Highway known as No. 17B and extending southerly for a distance of 700 metres.

**2. (1) Part 3 of Schedule 23 to the Regulation is amended by adding the following paragraphs:**

**District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

1. That part of the King's Highway known as No. 17B in the Territorial District of Algoma lying between a point situate 920 metres measured westerly from its intersection with the King's Highway known as No. 638 in the Township of Macdonald Meredith and Aberdeen Additional and a point situate 1340 metres measured easterly from its intersection with the centre line of the bridge over the Garden River in the Garden River Indian Reserve No. 14.

**District of Algoma — City of Sault Ste. Marie**

2. That part of the King's Highway known as No. 17B in the Garden River Indian Reserve No. 14 in the Territorial District of Algoma lying between a point situate 1555 metres measured westerly from its intersection with the centre line of the bridge over the Garden River and a point situate at its intersection with the easterly limit of the City of Sault Ste. Marie.

**District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

3. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma lying between a point situate 790 metres measured easterly from its intersection with the King's Highway known as No. 638 and a point situate at its intersection with the roadway known as Bar River Road W.

**(2) Part 4 of Schedule 23 to the Regulation is amended by adding the following paragraphs:**

**District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

1. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma beginning at a point situate 360 metres measured westerly from its intersection with the King's Highway known as No. 638 and extending westerly for a distance of 560 metres.

**District of Algoma — Garden River Indian Reserve**

2. That part of the King's Highway known as No. 17B in the Garden River Indian Reserve No. 14 in the Territorial District of Algoma lying between a point situate 1340 metres measured easterly from its intersection with the centre line of the bridge over the Garden River and a point situate 1555 metres measured westerly from its intersection with the centre line of the bridge over the Garden River.

**District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

3. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma beginning at a point situate 490 metres measured easterly from its intersection with the King's Highway known as No. 638 and extending westerly for a distance of 300 metres.



**(3) Part 5 of Schedule 23 to the Regulation is amended by adding the following paragraph:****District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

1. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma beginning at a point situate 490 metres measured easterly from its intersection with the King's Highway known as No. 638 and extending westerly for a distance of 850 metres.

**(4) Part 6 of Schedule 23 to the Regulation is amended by adding the following paragraph:****District of Algoma — Township of Macdonald Meredith and Aberdeen Additional**

2. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma lying between a point situate at its intersection with the roadway known as Bar River Road W and a point situate at its intersection with the King's Highway known as No. 17B.
3. (1) Paragraphs 1 and 2 of Part 3 of Schedule 185 to the Regulation are revoked.  
(2) Paragraphs 1 and 2 of Part 4 of Schedule 185 to the Regulation are revoked.  
(3) Paragraph 1 of Part 5 of Schedule 185 to the Regulation is revoked.
4. (1) Paragraph 1 of Part 3 of Schedule 272 to the Regulation is revoked.  
(2) Paragraph 1 of Part 4 of Schedule 272 to the Regulation is revoked.  
(3) Paragraph 1 of Part 5 of Schedule 272 to the Regulation is revoked.
5. This Regulation comes into force on the day it is filed.

Made by:

**JIM BRADLEY**  
*Minister of Transportation*

Date made: June 2, 2008.

25/08

**ONTARIO REGULATION 170/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: June 2, 2008

Filed: June 4, 2008

Published on e-Laws: June 5, 2008

Printed in *The Ontario Gazette*: June 21, 2008Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Regulation 604 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:**

**SCHEDULE 12  
HIGHWAY 17B**

1. That part of the King's Highway known as No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma beginning at a point situate 475 metres measured easterly from its intersection with the King's Highway known as No. 638 and extending westerly for a distance of 775 metres.

2. Schedules 93 and 94 to Appendix A to the Regulation are revoked.

3. This Regulation comes into force on the day it is filed.

Made by:

**JIM BRADLEY**  
*Minister of Transportation*

Date made: June 2, 2008.

25/08

**ONTARIO REGULATION 171/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: June 2, 2008

Filed: June 4, 2008

Published on e-Laws: June 5, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending Reg. 623 of R.R.O. 1990  
(Stop Signs at Intersections)

Note: Regulation 623 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Paragraph 1 of Schedule 14 to Regulation 623 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. Highway No. 638 in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma at its intersection with Highway No. 17B.

2. The Regulation is amended by adding the following Schedules:

**SCHEDULE 29**

1. Highway No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma at its intersection with the roadway known as Bar River Road.

2. Southbound on Highway No. 17B.

**SCHEDULE 30**

1. Highway No. 17B in the Township of Macdonald Meredith and Aberdeen Additional in the Territorial District of Algoma at its intersection with Highway No. 17.

2. Eastbound on Highway No. 17B.

3. This Regulation comes into force on the day it is filed.

Made by:

JIM BRADLEY  
*Minister of Transportation*

Date made: June 2, 2008.

25/08

**ONTARIO REGULATION 172/08**  
made under the  
**DRUG AND PHARMACIES REGULATION ACT**

Made: May 3, 2008  
Approved: June 4, 2008  
Filed: June 4, 2008  
Published on e-Laws: June 5, 2008  
Printed in *The Ontario Gazette*: June 21, 2008

Amending Reg. 551 of R.R.O. 1990  
(General)

Note: Regulation 551 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Regulation 551 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**1. In this Regulation,**

“controlled drug” means a substance referred to in Part I, II or III of the schedule to Part G of the *Food and Drug Regulations* (Canada);

“controlled drug preparation” means a substance that contains one controlled drug, and one or more active medicinal ingredients, in a recognized therapeutic dose, that are not controlled drugs;

“internal use” means local or systemic absorption upon introduction into the body by the parenteral route or through a body orifice;

“narcotic drug” means a substance referred to in the schedule to the *Narcotic Control Regulations* (Canada);

“sell” includes offer to sell, dispense, distribute, give away and supply;

“verbal prescription narcotic” means a substance,

- (a) that contains one narcotic drug,
- (b) that also contains, in a recognized therapeutic dose, two or more medicinal ingredients that are not narcotic drugs,
- (c) that is not intended for parenteral administration, and
- (d) that does not contain diacetylmorphine (heroin), hydrocodone, methadone, oxycodone or pentazocine.

**2. Section 41 of the Regulation is revoked.**

**3. (1) Subsection 56 (1) of the Regulation is revoked and the following substituted:**

(1) A verbal prescription for a drug referred to in Schedule I established by Ontario Regulation 297/96 (General) made under the Act shall only be accepted by,

- (a) a pharmacist;
- (b) an intern; or
- (c) a registered pharmacy student under the direct supervision of a pharmacist.



(2) Subsection 56 (2) of the Regulation is amended by striking out "An oral" at the beginning and substituting "A verbal".

(3) Subsection 56 (3) of the Regulation is revoked and the following substituted:

(3) A prescription for a narcotic drug, other than a verbal prescription narcotic, shall be in writing.

4. Section 57 of the Regulation is revoked and the following substituted:

57. A prescription for a narcotic drug or verbal prescription narcotic shall not be refilled.

5. Section 58 of the Regulation is amended by striking out "referred to in Schedule E or F" and substituting "referred to in Schedule I established by Ontario Regulation 297/96 (General) made under the Act, other than a narcotic drug or verbal prescription narcotic".

6. Section 59 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

59. Every person who receives, subsequent to the time the prescription is issued, a verbal direction to refill a prescription for a drug referred to in Schedule I, established by Ontario Regulation 297/96 (General) made under the Act, other than a narcotic drug or verbal prescription narcotic, shall forthwith record on the original prescription,

. . . . .

7. Section 60 of the Regulation is amended by striking out "drug referred to in Schedule G" in the portion before clause (a) and substituting "substance referred to in Part I of the schedule to Part G of the *Food and Drug Regulations* (Canada)".

8. Section 61 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

61. A prescription, except for a narcotic drug or verbal prescription narcotic, shall only be refilled where the person refilling the prescription records,

. . . . .

9. (1) Subsection 62 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(1) A pharmacist may transfer a prescription to another pharmacist for the purpose of refilling the prescription, except with respect to a prescription for a controlled drug or a controlled drug preparation or a narcotic drug or a verbal prescription narcotic, where,

. . . . .

(2) Subclause 62 (1) (b) (ii) of the Regulation is amended by striking out "orally" at the beginning and substituting "verbally".

(3) Subsection 62 (3) of the Regulation is amended by striking out "orally" and substituting "verbally".

10. Section 63 of the Regulation is amended by striking out "drug referred to in Schedule G or N" in the portion before clause (a) and substituting "controlled drug or a narcotic drug".

11. Section 64 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

64. Every manager of a pharmacy shall keep or cause to be kept a record of every sale of a controlled drug, other than a controlled drug preparation, or of a narcotic drug, other than a verbal prescription narcotic, by entering or causing to be entered in a register maintained for that purpose forthwith upon the sale,

. . . . .

12. Section 65 of the Regulation is amended by striking out "Schedule G preparation or a Schedule N preparation" in the portion before clause (a) and substituting "controlled drug preparation or a verbal prescription narcotic".

13. Sections 67, 69 and 70 of the Regulation are revoked.

14. This Regulation comes into force on June 4, 2008.

Made by:

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

PETER GDYCZYNSKI  
*President*

DEANNA WILLIAMS  
*Registrar*

Date made: May 3, 2008.

25/08

## ONTARIO REGULATION 173/08

made under the

### DRUG AND PHARMACIES REGULATION ACT

Made: May 3, 2008

Approved: June 4, 2008

Filed: June 4, 2008

Published on e-Laws: June 5, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 297/96  
(General)

Note: Ontario Regulation 297/96 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Section 1 of Ontario Regulation 297/96 is amended by adding the following definition:**

“dispensary” means the area of a pharmacy where drugs referred to in Schedules I and II are stored and prepared for dispensing and distribution and to which the public has no access;

**2. Section 2 of the Regulation is revoked and the following substituted:**

2. (1) Schedules I, II, III and U are established for the purposes of the Act.
  - (2) The following substances are prescribed as being included in Schedule I for the purposes of the Act:
    1. The substances listed in Schedule I of the Manual.
    2. The substances listed in Parts I and II of Schedule F to the *Food and Drug Regulations* (Canada).
    3. The substances listed in Schedule I, II, III, IV, V, VI, VII and VIII of the *Controlled Drugs and Substances Act* (Canada).
  - (3) The substances listed in Schedule II of the Manual are prescribed as being included in Schedule II for the purposes of the Act.
  - (4) The substances listed in Schedule III of the Manual are prescribed as being included in Schedule III for the purposes of the Act.
  - (5) The substances listed in the Unscheduled Category of the Manual are prescribed as being included in Schedule U for the purposes of the Act.
  - (6) The substances listed in Schedules A and B to this Regulation are not drugs for the purposes of the Act.
- 2.1 (1) The following conditions apply to the sale in a pharmacy of a drug referred to in Schedule I:**
1. A pharmacist must be present in the pharmacy.

2. There must be a prescription for the drug, or, in the case of a refill, the refill must be in accordance with Regulation 551 of the Revised Regulations of Ontario, 1990, (General) made under the Act.
3. The sale of the drug must be approved by a pharmacist.
4. The drug shall only be available for sale from the dispensary.

(2) The following conditions apply to the sale in a pharmacy of a drug referred to in Schedule II:

1. A pharmacist must be present in the pharmacy.
2. The sale of the drug must be approved by a pharmacist.
3. The drug shall only be available for sale from the dispensary.

(3) The following conditions apply to the sale in a pharmacy of a drug referred to in Schedule III:

1. A pharmacist must be present in the pharmacy.
2. A pharmacist or intern must be available for consultation with the patient.
3. The drug shall only be available for sale in the pharmacy from the dispensary or from an area within 10 metres of the dispensary.

3. (1) Item 19 of Schedule A to the Regulation is revoked.

(2) Item 23 of Schedule A to the Regulation is amended by striking out "Calcium gluconate" and substituting "Calcium gluconate, except in injectable form for parenteral nutrition".

(3) Item 34 of Schedule A to the Regulation is amended by striking out "Copper sulfate" and substituting "Copper sulfate, except in injectable form for parenteral nutrition".

(4) Item 79 of Schedule A to the Regulation is amended by striking out "Pancreatin" and substituting "Pancreatin, except in products for the treatment of established pancreatic insufficiency".

(5) Item 99 of Schedule A to the Regulation is amended by striking out "Sodium chloride" and substituting "Sodium chloride, except in injectable form for parenteral nutrition or single ingredient solutions for parenteral or ophthalmic use in concentrations of more than 0.9% (note: does not apply to contact lens solutions intended to be rinsed off prior to insertion into eye)".

(6) Item 100 of Schedule A to the Regulation is amended by striking out "Sodium citrate" and substituting "Sodium citrate, except for parenteral use".

4. (1) Item 59 of Part I of Schedule B to the Regulation is amended by adding "for use in lozenges only" after "hydrochloride".

(2) Item 82 of Part I of Schedule B to the Regulation is amended by striking out "Magnesium citrate" and substituting "Magnesium citrate except for cathartics".

(3) Item 89 of Part I of Schedule B to the Regulation is amended by adding "(in liquid dosage forms in concentrations up to and including 30%)" at the end.

(4) Item 91 of Part I of Schedule B to the Regulation is amended by striking out "Methylene blue" and substituting "Methylene blue except for parenteral use".

(5) Items 105 and 106 of Part I of Schedule B to the Regulation are revoked.

(6) Item 126 of Part I of Schedule B to the Regulation is revoked.

(7) Item 140 of Part I of Schedule B to the Regulation is revoked.

(8) Item 144 of Part I of Schedule B to the Regulation is amended by striking out "Sodium phosphate" and substituting "Sodium phosphate except for cathartics".

5. This Regulation comes into force on June 4, 2008.



Made by:

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

PETER GDYCZYNSKI  
*President*

DEANNA WILLIAMS  
*Registrar*

Date made: May 3, 2008.

25/08

## ONTARIO REGULATION 174/08

made under the

### PLANNING ACT

Made: June 2, 2008

Filed: June 5, 2008

Published on e-Laws: June 5, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 834/81

(Restricted Areas — Territorial District of Sudbury)

Note: Ontario Regulation 834/81 has previously been amended. Those amendments are listed in the Table of Unconsolidated and Unrevoked Regulations which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

#### **1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:**

181. (1) Despite paragraph 5 of subsection 23 (3) of the Order, the minimum side yard setback for the land described in subsection (2) is 4.75 metres.

(2) Subsection (1) applies to those lands in the geographic Township of Eden in the Territorial District of Sudbury, being part of Summer Resort Location A. E. 305, being Parcel 11888 SWS and identified as Property Identifier Number 73398-0092 (LT), filed in the Land Registry Office in the Land Titles Division of Sudbury (No. 53).

#### **2. This Regulation comes into force on the day it is filed.**

Made by:

HEATHER ROBERTSON  
*Manager*  
*Community Planning & Development*  
*Northeastern Municipal Services Office*  
*Ministry of Municipal Affairs and Housing*

Date made: June 2, 2008.

25/08

**ONTARIO REGULATION 175/08**

made under the

**HIGHWAY TRAFFIC ACT**

Made: June 4, 2008

Filed: June 5, 2008

Published on e-Laws: June 6, 2008

Printed in *The Ontario Gazette*: June 21, 2008Amending Reg. 615 of R.R.O. 1990  
(Signs)

Note: Regulation 615 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Subsection 2 (1) of Regulation 615 of the Revised Regulations of Ontario, 1990 is amended by striking out “a city, town, village, police village” in the portion before clause (a) and substituting “a local municipality”.

2. Section 3 of the Regulation is revoked and the following substituted:

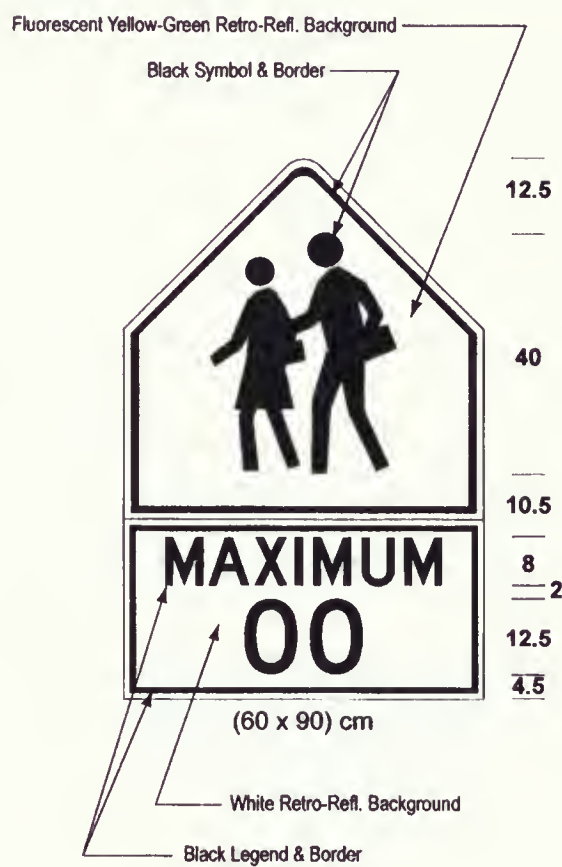
3. (1) The commencement of the part of a highway for which a maximum rate of speed is prescribed shall be indicated by a speed limit sign accompanied immediately below by a sign bearing the markings and having the dimensions as illustrated in the following Figure:



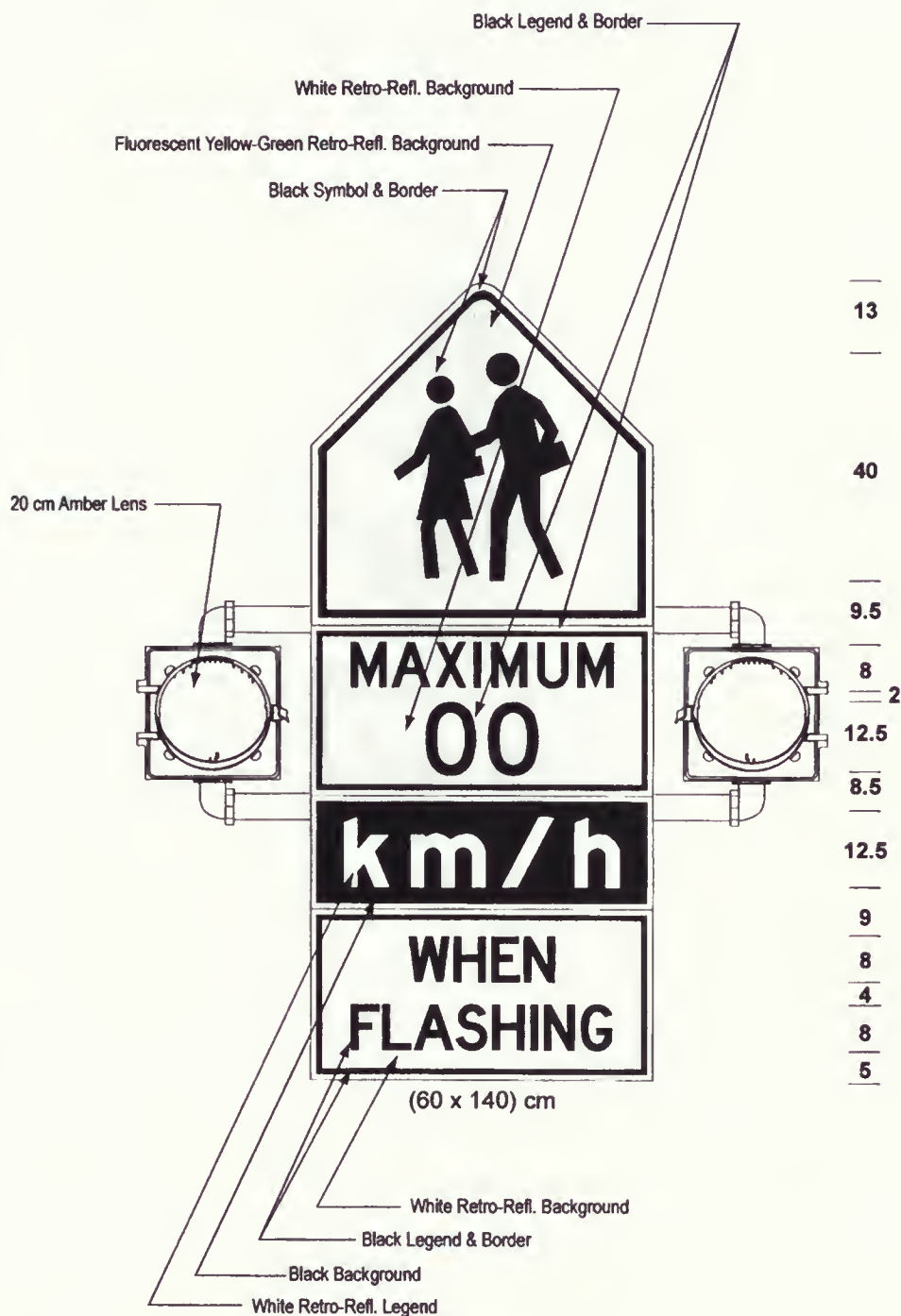
(2) Despite subsection (1), in an area designated by the *French Language Services Act*, the commencement of the part of a highway for which a maximum rate of speed is prescribed shall be indicated by a speed limit sign accompanied immediately below by a sign bearing the markings and having the dimensions as illustrated in the following Figure:



3. (1) Figure A and Figure B to subsection 5 (1) of the Regulation are revoked and the following substituted:



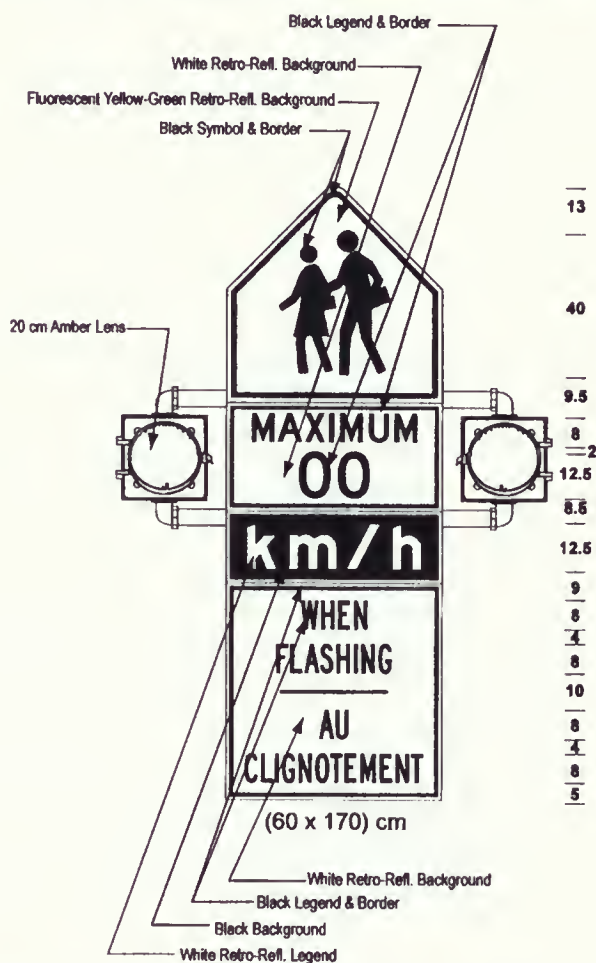




**(2) Subsection 5 (1.0.1) of the Regulation is revoked and the following substituted:**

(1.0.1) A speed limit sign that is similar to a sign illustrated in Figure A or Figure B to subsection (1), except that it has white symbols and a white border on a blue background instead of black symbols and a black border on a retro-reflective fluorescent yellow-green background, and that is in place on the day this subsection comes into force, is deemed to comply with clause (1) (a) or (b), as the case may be, until it is replaced.

(3) Figure C to clause 5 (1.1) (b) of the Regulation is revoked and the following substituted:



(4) Section 5 of the Regulation is amended by adding the following subsection:

(1.2) A speed limit sign that is similar to the sign illustrated in Figure C to clause (1.1) (b), except that it has white symbols and a white border on a blue background instead of black symbols and a black border on a retro-reflective fluorescent yellow-green background, and that is in place on the day this subsection comes into force, is deemed to comply with subsection (1.1) until it is replaced.

(5) Subsections 5 (4) and (5.1) of the Regulation are revoked and the following substituted:

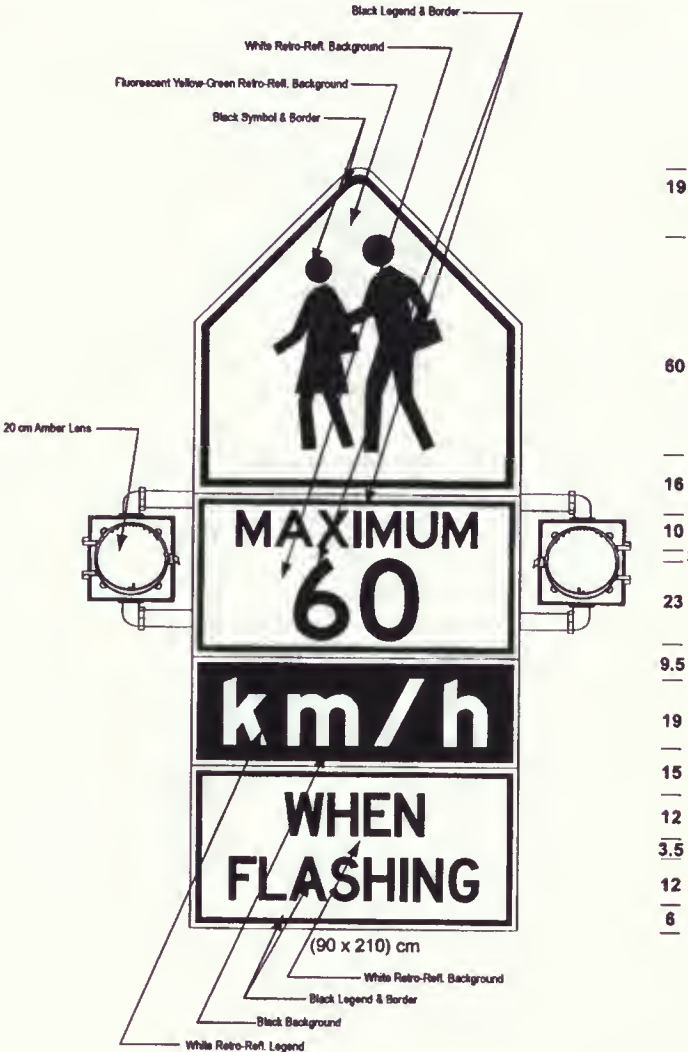
(5.1) A sign referred to in clauses (1.1) (a) and (b) shall be not less than 30 centimetres in height and not less than 60 centimetres in width, shall bear the legend "MAXIMUM" in black letters not less than 8 centimetres in height and shall display the speed limit prescribed by by-law in black numerals not less than 12.5 centimetres in height on a white background.

(6) Section 5 of the Regulation is amended by adding the following subsection:

(8) A reference in subsection (2), (3), (4), (5), (5.1) or (7) to a sign referred to in clause (1) (a) or (1.1) (a) or (1) (b) or (1.1) (b) or subsection (1) or (1.1) is deemed to include a sign referred to in subsection (1.0.1) or (1.2), as the case may be.

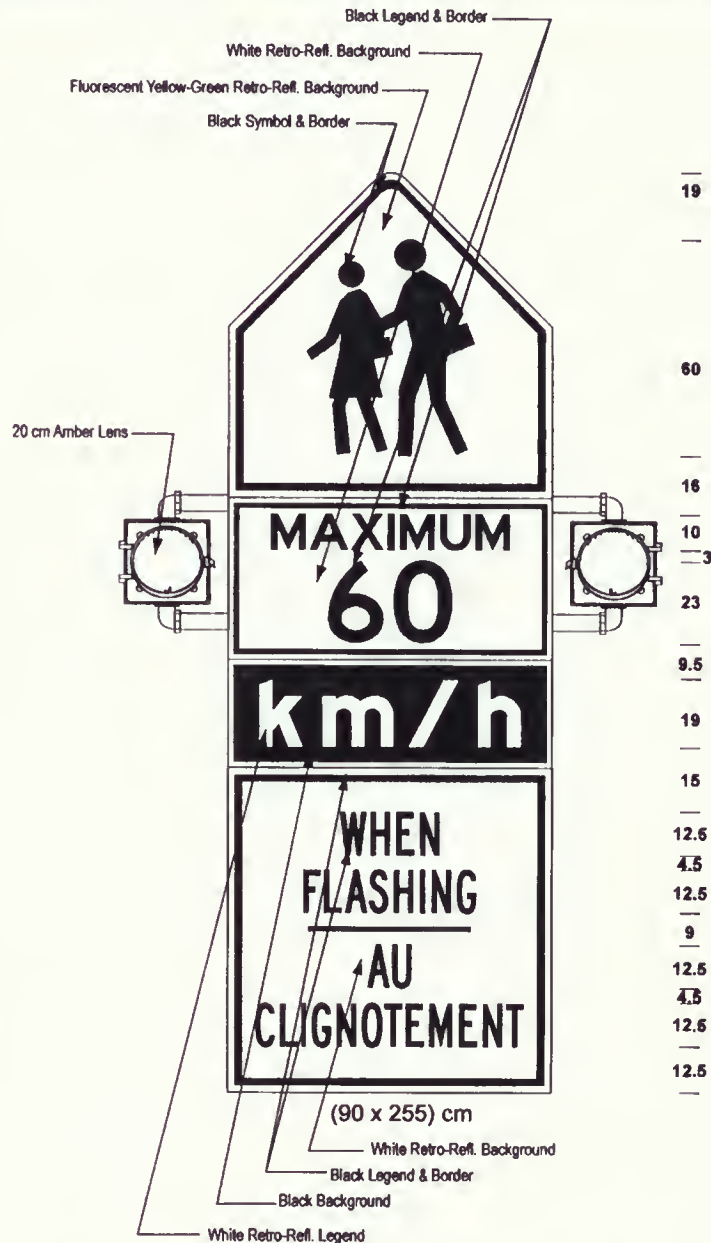
(7) Subsections 5 (1.0.1), (1.2) and (8) of the Regulation are revoked.

4. (1) The Figure to subsection 5.1 (1) of the Regulation is revoked and the following substituted:





(2) The Figure to subsection 5.1 (1.1) of the Regulation is revoked and the following substituted:



(3) Section 5.1 of the Regulation is amended by adding the following subsections:

(1.2) A speed limit sign that is similar to a sign illustrated in subsection (1) or (1.1), except that it has white symbols and a white border on a blue background instead of black symbols and a black border on a retro-reflective fluorescent yellow-green background, and that is in place on the day this subsection comes into force, is deemed to comply with subsection (1) or (1.1), as the case may be, until it is replaced.

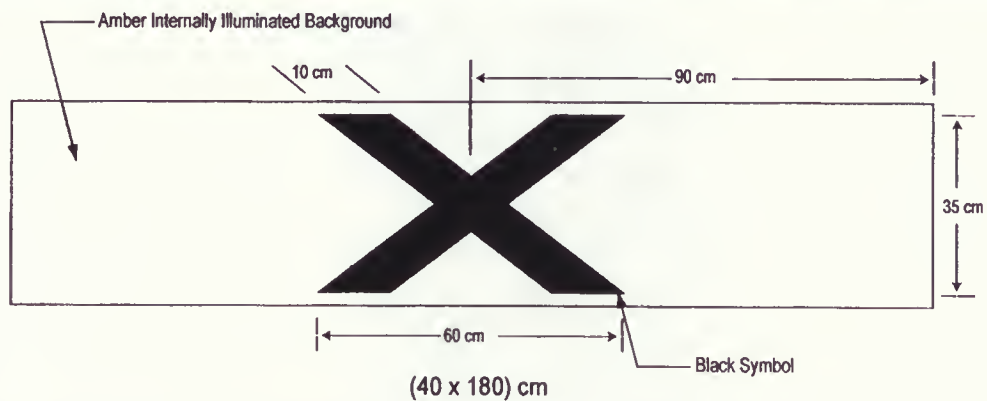
(6) A reference in subsection (2), (3) or (5) to a sign referred to in subsection (1) or (1.1) is deemed to include a sign referred to in subsection (1.2).

(4) Subsections 5.1 (1.2) and (6) of the Regulation are revoked.

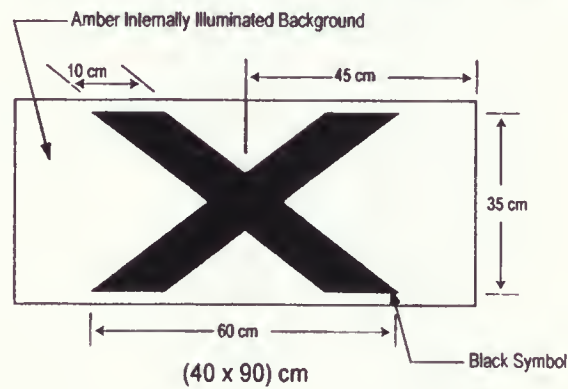
5. Section 19 of the Regulation is revoked and the following substituted:

19. A yield right-of-way sign shall be erected so that the left edge of the sign is not more than 4 metres from the edge of the roadway.

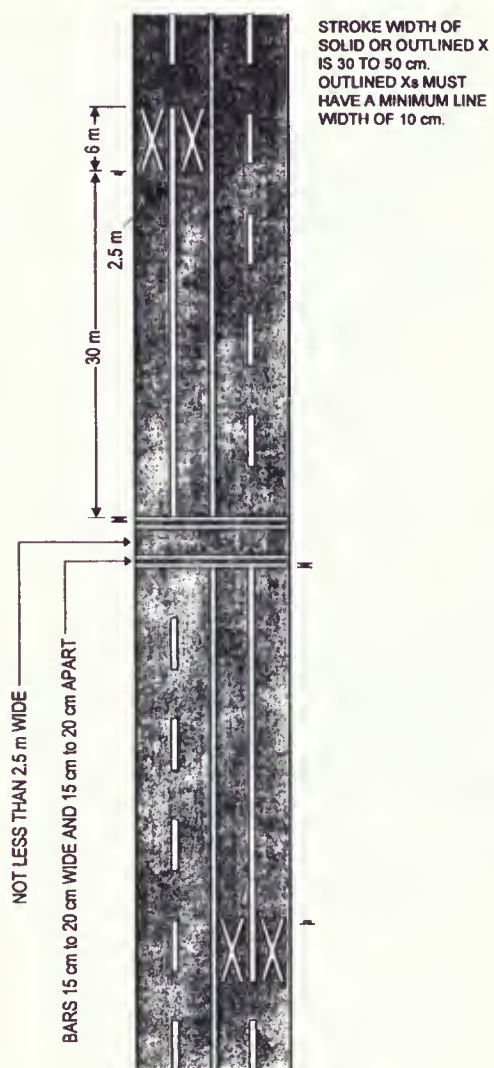
6. (1) The Figure to paragraph 1 of subsection 20.1 (2) of the Regulation is revoked and the following substituted:



(2) The Figure to paragraph 2 of subsection 20.1 (2) of the Regulation is revoked and the following substituted:

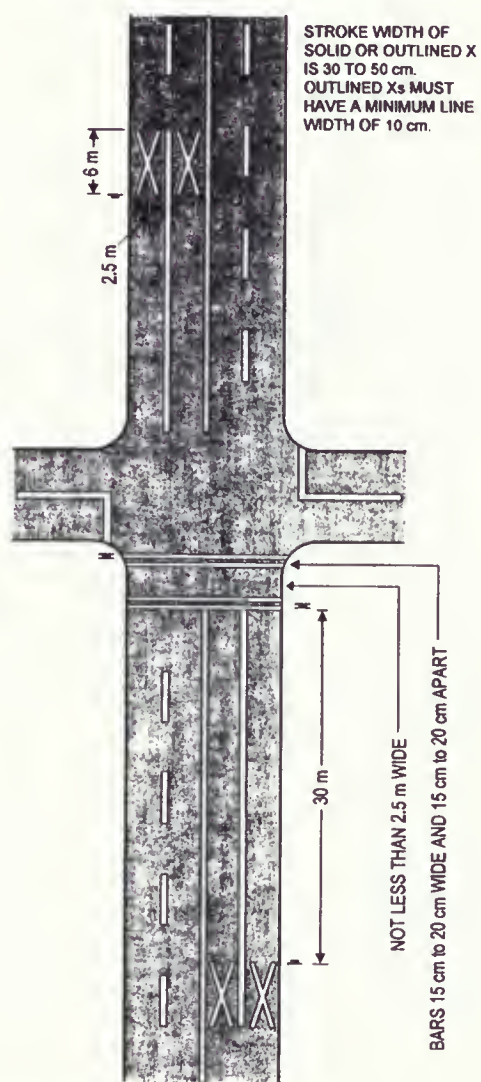


7. (1) The Figure to subsection 20.3 (1) of the Regulation is revoked and the following substituted:





(2) The Figure to subsection 20.3 (2) of the Regulation is revoked and the following substituted:

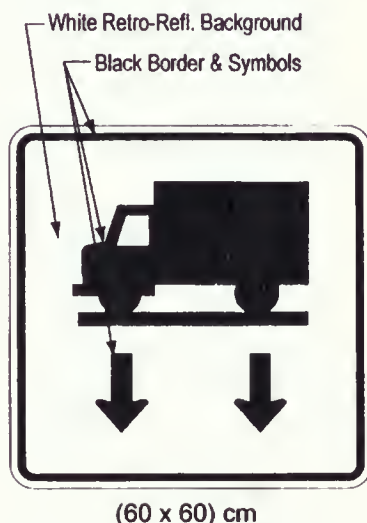


8. Sections 20.7, 20.8 and 20.9 of the Regulation are revoked.

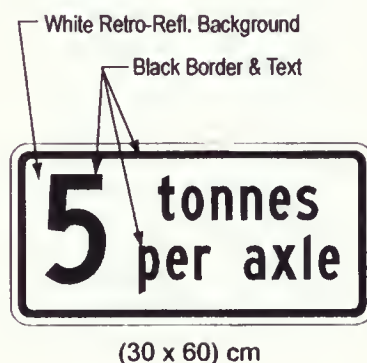
9. (1) Section 40 of the Regulation is revoked and the following substituted:

## LOAD RESTRICTION SIGN

40. (1) A Load Restriction sign erected on or after June 1, 2008 shall bear the markings and have the dimensions as illustrated in the following Figure:



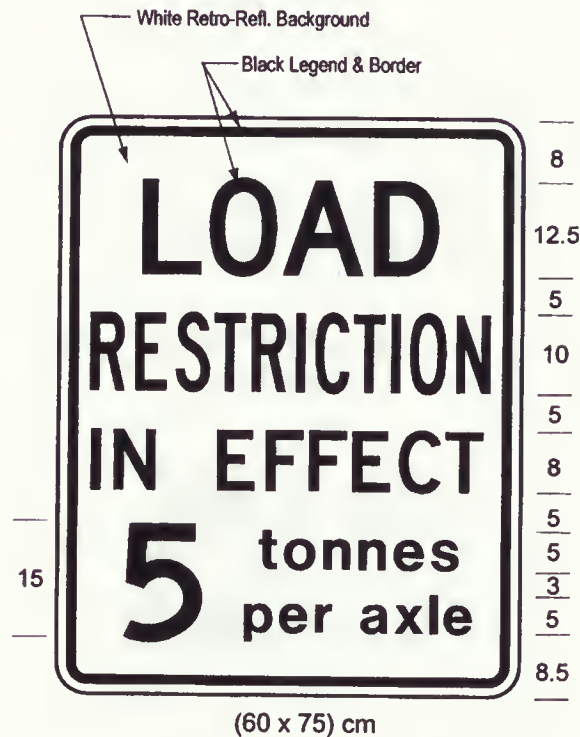
(2) A Load Restriction sign described in subsection (1) shall have one or both of the following Figures appended to it:



(3) A Load Restriction sign erected on or after March 1, 1980 and before June 1, 2008 shall,

- (a) be not less than 60 centimetres in width and 75 centimetres in height;
- (b) bear the words "Load Restriction in Effect" and indicate the maximum number of tonnes per axle permitted on the highway; and

(c) bear the markings and have the dimensions as illustrated in the following Figure:



(2) Subsection 40 (1) of the Regulation is amended by striking out “erected on or after June 1, 2008”.

(3) Subsection 40 (3) of the Regulation is revoked.

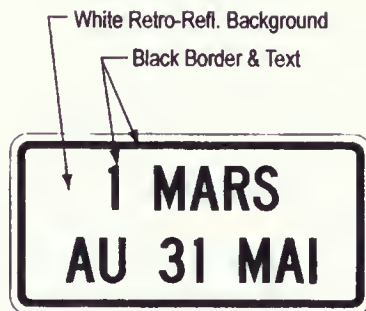
10. (1) Section 40.1 of the Regulation is revoked and the following substituted:

40.1 (1) A Load Restriction sign erected on or after June 1, 2008 in an area designated by the *French Language Services Act* shall bear the markings and have the dimensions as prescribed and illustrated in subsection 40 (1).

(2) A Load Restriction sign described in subsection (1) shall have one or both of the following Figures appended to it:







(30 x 60) cm

- (3) A Load Restriction sign erected before June 1, 2008 in an area designated by the *French Language Services Act* shall,
- (a) be not less than 60 centimetres in width and 75 centimetres in height;
  - (b) be erected below, to the right of or up to 100 metres beyond the sign required by section 40;
  - (c) bear the words “Limite de chargement en vigueur” and indicate the maximum number of tonnes per axle permitted on the highway; and
  - (d) bear the markings and have the dimensions as illustrated in the following Figure:



(60 x 75) cm

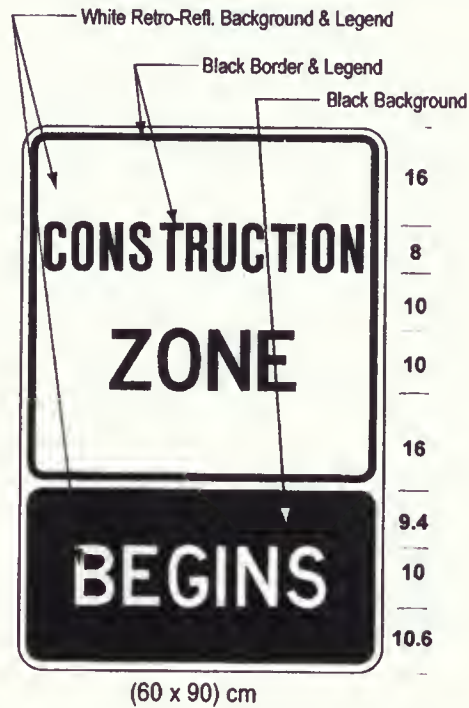
(2) Subsection 40.1 (1) of the Regulation is amended by striking out “erected on or after June 1, 2008”.

(3) Subsection 40.1 (3) of the Regulation is revoked.

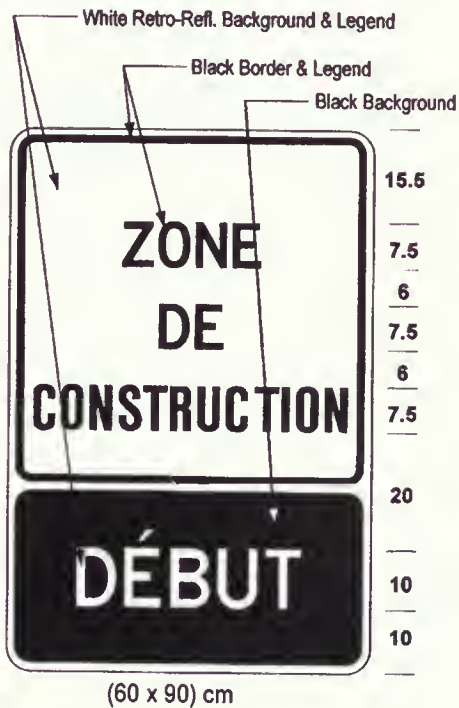
11. (1) Subsection 41 (1.1) of the Regulation is amended by striking out “until it is replaced” at the end and substituting “until January 1, 2011”.

(2) Subsection 41 (1.1) of the Regulation is revoked.

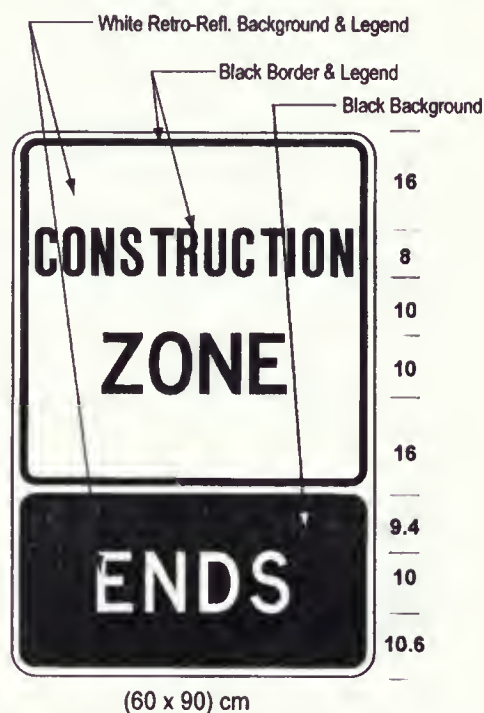
12. (1) The Figure to subsection 42 (2) of the Regulation is revoked and the following substituted:



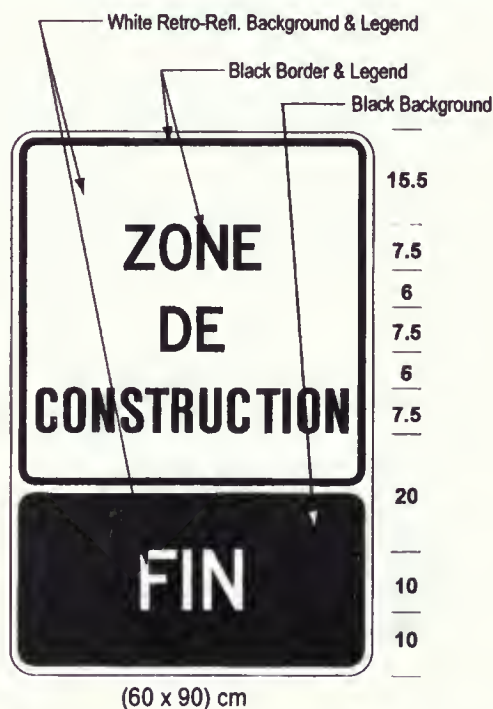
(2) The Figure to subsection 42 (3) of the Regulation is revoked and the following substituted:



(3) The Figure to subsection 42 (4) of the Regulation is revoked and the following substituted:



(4) The Figure to subsection 42 (5) of the Regulation is revoked and the following substituted:



13. Subsection 42.1 (3) of the Regulation is revoked and the following substituted:

(3) The other side of a traffic control stop or slow sign shall be retro-reflective fluorescent yellow-green in colour with a black diamond-shaped border that is at least 317 millimetres by 317 millimetres and the word "slow" in the centre of the sign written in legible black upper case letters 120 millimetres high.



**14. Subsection 43 (2) of the Regulation is revoked and the following substituted:**

(2) A Buses Excepted tab sign as prescribed and illustrated in subsection (1) or (1.1) may be erected immediately below a sign prescribed in section 21, 22 or 34.

**15. Section 45 of the Regulation is revoked and the following substituted:**

45. A sign prescribed by this Regulation, other than a sign prescribed by section 13, 14, 15, 24, 25, 26 or 27, shall be so placed as to be visible at all times for a distance of at least 60 metres to the traffic approaching the sign.

**16. Section 50 of the Regulation is revoked and the following substituted:**

50. (1) A sign prescribed by a provision of this Regulation may show days and times other than those shown in the Figure to that provision.

(2) A sign prescribed by a provision of this Regulation shall show the prescribed speed and not 00 km/h, if that is the speed shown in the Figure to that provision.

(3) The signs prescribed by clauses 41 (1) (a) and (b) shall show the prescribed number of tonnes and not 00 tonnes as shown in the Figures to those clauses.

**17. (1) Subject to subsection (2) and (3), this Regulation comes into force on the day it is filed.**

**(2) Subsections 3 (7), 4 (4), 9 (2) and (3) and 10 (2) and (3) come into force on January 1, 2015.**

**(3) Subsection 11 (2) comes into force on January 1, 2011.**

25/08

**ONTARIO REGULATION 176/08**

made under the

**ADMINISTRATION OF JUSTICE ACT**

Made: June 4, 2008

Filed: June 5, 2008

Published on e-Laws: June 6, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 210/07

(Ontario Court of Justice — Fees)

Note: Ontario Regulation 210/07 has not previously been amended.

**1. The Table to subsection 2 (2) of Ontario Regulation 210/07 is revoked and the following substituted:**

TABLE

Item	Column 1
	Municipality
1.	City of Burlington, Town of Oakville, Town of Halton Hills and Town of Milton
2.	City of Dryden
3.	City of Elliot Lake, Town of Blind River, Town of Spanish and Township of North Shore
4.	City of Hamilton
5.	City of Kawartha Lakes
6.	City of Kenora
7.	City of North Bay
8.	City of Thunder Bay
9.	City of Windsor
10.	County of Hastings
11.	County of Huron
12.	County of Lambton

Item	Column 1
	Municipality
13.	County of Northumberland
14.	County of Oxford
15.	County of Perth
16.	County of Prince Edward
17.	Haldimand County
18.	Regional Municipality of York
19.	Town of Caledon
20.	Town of Cochrane
21.	Town of Espanola
22.	Town of Fort Frances
23.	Town of Gore Bay
24.	Town of Parry Sound
25.	United Counties of Leeds and Grenville
26.	United Counties of Prescott and Russell
27.	United Counties of Stormont, Dundas and Glengarry

**2. This Regulation comes into force on August 15, 2008.**

## RÈGLEMENT DE L'ONTARIO 176/08

pris en application de la

### LOI SUR L'ADMINISTRATION DE LA JUSTICE

pris le 4 juin 2008

déposé le 5 juin 2008

publié sur le site Lois-en-ligne le 6 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. de l'Ont. 210/07

(Cour de justice de l'Ontario — Frais)

Remarque : Le Règlement de l'Ontario 210/07 n'a pas été modifié antérieurement.

**1. Le tableau du paragraphe 2 (2) du Règlement de l'Ontario 210/07 est abrogé et remplacé par ce qui suit :**

**TABEAU**

Numéro	Colonne 1
	Municipalité
1.	Cité de Burlington, ville d'Oakville, ville de Halton Hills et ville de Milton
2.	Cité de Dryden
3.	Cité de Elliot Lake, ville de Blind River, ville de Spanish et canton de North Shore
4.	Cité de Hamilton
5.	Cité de Kawartha Lakes
6.	Cité de Kenora
7.	Cité de North Bay
8.	Cité de Thunder Bay
9.	Cité de Windsor
10.	Comté de Hastings
11.	Comté de Huron
12.	Comté de Lambton
13.	Comté de Northumberland
14.	Comté d'Oxford
15.	Comté de Perth
16.	Comté de Prince Edward
17.	Comté de Haldimand

Numéro	Colonne 1
	Municipalité
18.	Municipalité régionale de York
19.	Ville de Caledon
20.	Ville de Cochrane
21.	Ville d'Espanola
22.	Ville de Fort Frances
23.	Ville de Gore Bay
24.	Ville de Parry Sound
25.	Comtés unis de Leeds et Grenville
26.	Comtés unis de Prescott et Russell
27.	Comtés unis de Stormont, Dundas et Glengarry

**2. Le présent règlement entre en vigueur le 15 août 2008.**

25/08

**ONTARIO REGULATION 177/08**

made under the

**EDUCATION ACT**

Made: June 4, 2008

Filed: June 5, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 486/01

(Continuation, Areas of Jurisdiction and Names of District School Boards)

Note: Ontario Regulation 486/01 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subparagraph 6 v of section 4 of Ontario Regulation 486/01 is amended by striking out “and” at the end of sub-subparagraph C, by adding “and” at the end of sub-subparagraph D and by adding the following sub-subparagraph:**

E. all lands within an area the boundary sides of which are as follows:

1. on the south side, a line starting at the middle of the south side of Claim P-772 and running west along the south side of Claims A1-101, A1-108, AL-134, AL-135, etc. to the centre point of Claim AL-174,
2. on the west side, a line running north from the centre point of Claim AL-174 along the west side of Claims HP-99 and HP-187, on through the middle of one of the three small islands K-656 in Little Turtle Lake to a point where a line at right angles will bisect K-659,
3. on the north side, a line starting at the point mentioned above and running east along the north side of Claim K-610, and
4. on the east side, a line starting at the middle point of the south side of Claim P-772 and running north along the east side of Claim HP-138 to a point where it meets the north boundary line of the school section.

**2. Subparagraph 2 ix of section 10 of the Regulation is amended by striking out “and” at the end of sub-subparagraph C, by adding “and” at the end of sub-subparagraph D and by adding the following sub-subparagraph:**

E. all lands within an area the boundary sides of which are as follows:

1. on the south side, a line starting at the middle of the south side of Claim P-772 and running west along the south side of Claims A1-101, A1-108, AL-134, AL-135, etc. to the centre point of Claim AL-174,
2. on the west side, a line running north from the centre point of Claim AL-174 along the west side of Claims HP-99 and HP-187, on through the middle of one of the three small islands K-656 in Little Turtle Lake to a point where a line at right angles will bisect K-659,
3. on the north side, a line starting at the point mentioned above and running east along the north side of Claim K-610, and



4. on the east side, a line starting at the middle point of the south side of Claim P-772 and running north along the east side of Claim HP-138 to a point where it meets the north boundary line of the school section.

**3. This Regulation comes into force on September 1, 2008.**

## **RÈGLEMENT DE L'ONTARIO 177/08**

pris en application de la

### **LOI SUR L'ÉDUCATION**

pris le 4 juin 2008

déposé le 5 juin 2008

publié sur le site Lois-en-ligne le 9 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. de l'Ont. 486/01

(Prorogation, territoires de compétence et noms des conseils scolaires de district)

Remarque : Le Règlement de l'Ontario 486/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. La sous-disposition 6 v de l'article 4 du Règlement de l'Ontario 486/01 est modifiée par adjonction de la sous-sous-disposition suivante :**

E. toutes les terres se trouvant dans un secteur dont les limites sont les suivantes :

1. au sud, une ligne commençant au milieu de la limite sud du claim P-772 et allant vers l'ouest, le long de la limite sud des claims A1-101, A1-108, AL-134, AL-135, etc., jusqu'au point central du claim AL-174,
2. à l'ouest, une ligne allant vers le nord à partir du point central du claim AL-174 le long de la limite ouest des claims HP-99 et HP-187, puis passant au milieu de l'une des trois petites îles K-656 du lac Little Turtle jusqu'au point où une ligne perpendiculaire divise K-659 en deux,
3. au nord, une ligne commençant au point susmentionné et allant vers l'est, le long de la limite nord du claim K-610,
4. à l'est, une ligne commençant au milieu de la limite sud du claim P-772 et allant vers le nord, le long de la limite est du claim HP-138 jusqu'à son point d'intersection avec la ligne de démarcation nord de la circonscription scolaire.

**2. La sous-disposition 2 ix de l'article 10 du Règlement est modifiée par adjonction de la sous-sous-disposition suivante :**

E. toutes les terres se trouvant dans un secteur dont les limites sont les suivantes :

1. au sud, une ligne commençant au milieu de la limite sud du claim P-772 et allant vers l'ouest, le long de la limite sud des claims A1-101, A1-108, AL-134, AL-135, etc., jusqu'au point central du claim AL-174,
2. à l'ouest, une ligne allant vers le nord à partir du point central du claim AL-174 le long de la limite ouest des claims HP-99 et HP-187, puis passant au milieu de l'une des trois petites îles K-656 du lac Little Turtle jusqu'au point où une ligne perpendiculaire divise K-659 en deux,
3. au nord, une ligne commençant au point susmentionné et allant vers l'est, le long de la limite nord du claim K-610,
4. à l'est, une ligne commençant au milieu de la limite sud du claim P-772 et allant vers le nord, le long de la limite est du claim HP-138 jusqu'à son point d'intersection avec la ligne de démarcation nord de la circonscription scolaire.

**3. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 2008.**

**ONTARIO REGULATION 178/08**

made under the

**EDUCATION ACT**

Made: June 4, 2008

Filed: June 5, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008**TRANSITION PROVISIONS RELATING TO THE SCHOOL BOARD BOUNDARY CHANGES  
MADE BY ONTARIO REGULATION 177/08****Definitions**

1. In this Regulation,

"Mine Centre Board" means the Mine Centre District School Area Board; ("conseil de Mine Centre")

"Rainy River Board" means the Rainy River District School Board. ("conseil de Rainy River")

**Restrictions on Mine Centre Board**

2. (1) After June 4, 2008, the Mine Centre Board shall not do any of the following things without the prior approval of the Ministry or unless it is done in accordance with the board's estimates of its revenues and expenditures prepared under subsection 231 (1) of the Act for the 2007-2008 school year, as reviewed and adjusted by the Ministry:

1. Pass a by-law or resolution relating to a payment.
2. Convey an interest in property or purchase an interest in property.
3. Transfer money between or among reserve funds or change the purpose or designation of a reserve fund.
4. Enter into a contract, make a payment in connection with the end of a contract or incur a financial liability or obligation.
5. Appoint a person to a position, hire a new employee or promote an existing employee.
6. Make or agree to make a payment in connection with the end of an employment contract or employment relationship.

(2) The Ministry may approve the things listed in subsection (1) for the purposes of that subsection and may impose any necessary conditions.

(3) Despite subsection (1), the Mine Centre Board may do any of the things listed in that subsection in the case of an emergency.

(4) Subsection (1) shall not be construed to prevent the Board from fulfilling its obligations under any contracts entered into before June 5, 2008.

(5) Paragraphs 5 and 6 of subsection (1) shall not be construed to affect the employment relationship between the employee and the board or their respective rights against, and obligations to, each other, including under any collective agreement.

(6) Members, officers, employees and agents of the Mine Centre Board shall permit the Ministry, on request, to examine and copy any document, record or other information in the possession of the board.

**Merger and employee transfer**

3. (1) The employees of the Mine Centre Board are transferred to the Rainy River Board on September 1, 2008.

(2) The employment contract, the terms and conditions of employment, the rights and benefits of employment and the employment obligations of a person who becomes an employee of the Rainy River Board under paragraph 1 of subsection 58.1 (21) of the Act are assumed by and continued with the Rainy River Board.

(3) Immediately after the employees of the Mine Centre Board become employees of the Rainy River Board, the Mine Centre Board is merged with and continued as the Rainy River Board.

**Transition, provisions for period until 2010 elections**

4. During the period beginning on September 1, 2008 and ending on November 30, 2010,

- (a) the interests of the former electors of the Mine Centre Board shall be represented,

- (i) on the Rainy River Board, by the members of that board elected to represent the Town of Fort Frances or their successors, if any, and
- (ii) on the Conseil scolaire de district du Grand Nord de l'Ontario, by the member of that board elected to represent the Town of Fort Frances or his or her successor, if any;
- (b) the former members of the Mine Centre Board have the right to be notified of and consulted on any matter considered by the members of the Rainy River Board that would have been within the jurisdiction of the Mine Centre Board before its amalgamation with the Rainy River Board;
- (c) the former members of the Mine Centre Board are entitled to receive any honorarium that they would otherwise have received under section 191 of the Act; and
- (d) the former members of the Mine Centre Board are entitled to receive an allowance under section 191.2 of the Act in respect of expenses incurred and travel taking place before September 1, 2008, but not for expenses incurred and travel taking place on or after that date.

#### Teacher performance appraisals

5. (1) This section applies to teachers who were employed by the Mine Centre Board on June 5, 2008 and who, after the amalgamation of the Mine Centre Board with the Rainy River Board, are employed by the Rainy River Board.

(2) Despite subsection 4 (3) of Ontario Regulation 99/02 (Teacher Performance Appraisal) made under the Act, the first year in which a teacher to whom this section applies is employed by the Rainy River Board shall not be an evaluation year if he or she had an evaluation year within the four years preceding the amalgamation of the Mine Centre Board with the Rainy River Board.

#### Education taxes

6. (1) Any amounts owing to the Mine Centre Board after August 31, 2008 under subsection 257.7 (1) of the Act or section 21.1 of the *Provincial Land Tax Act* in respect of the 2008 taxation year or any previous taxation year shall be paid to the Rainy River Board.

(2) In this section,

“taxation year” means the year for which taxes for school purposes are levied.

#### *Municipal Elections Act, 1996*

7. (1) For the purposes of subsection 79 (8) of the *Municipal Elections Act, 1996*, an amount held in trust for a candidate who was nominated for an office on the Mine Centre Board in the regular election immediately preceding September 1, 2008, or for his or her successor, if any, shall be paid by the clerk to the candidate or successor, with interest, if he or she is nominated for an office on the Rainy River Board in the next regular election following September 1, 2008, or in an earlier by-election.

(2) An amount that becomes payable to the Mine Centre Board under subsection 79 (9) of the *Municipal Elections Act, 1996* after August 31, 2008 shall be paid to the Rainy River Board.

#### School calendar

8. The Ministry may revise the school calendar for the Mine Centre Board for the 2008-2009 school year, and if the school calendar is revised, the Ministry shall inform the Mine Centre Board and the Rainy River Board of the revision and the Mine Centre Board shall inform all affected parents, guardians, pupils and employees of the revised calendar.

#### Commencement

9. (1) Subject to subsection (2), this Regulation comes into force the day it is filed.

(2) Sections 1, 3, 4, 5, 6 and 7 come into force on September 1, 2008.



**RÈGLEMENT DE L'ONTARIO 178/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 4 juin 2008

déposé le 5 juin 2008

publié sur le site Lois-en-ligne le 9 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008**DISPOSITIONS TRANSITOIRES TOUCHANT LES MODIFICATIONS APPORTÉES AUX  
LIMITES TERRITORIALES DES CONSEILS SCOLAIRES PAR LE RÈGLEMENT DE  
L'ONTARIO 177/08****Définitions**

1. Les définitions qui suivent s'appliquent au présent règlement.

«conseil de Mine Centre» Le conseil appelé Mine Centre District School Area Board. («Mine Centre Board»)

«conseil de Rainy River» Le conseil appelé Rainy River District School Board. («Rainy River Board»)

**Restrictions imposées au conseil de Mine Centre**

2. (1) Après le 4 juin 2008, le conseil de Mine Centre ne doit faire aucune des choses suivantes sans l'approbation préalable du ministère ou sans que cela se fasse conformément aux prévisions budgétaires du conseil préparées en application du paragraphe 231 (1) de la Loi pour l'année scolaire 2007-2008, telles que le ministère les a rajustées après les avoir examinées :

1. Adopter un règlement administratif ou une résolution concernant un paiement.
2. Céder ou acquérir un intérêt sur un bien.
3. Transférer des sommes d'argent entre des fonds de réserve, ou modifier les fins ou la désignation de tels fonds.
4. Conclure un contrat, effectuer un paiement lorsqu'un contrat prend fin ou contracter une obligation financière.
5. Nommer une personne à un poste, engager un nouvel employé ou accorder une promotion à un employé déjà en poste.
6. Effectuer un paiement dans le cadre de la résiliation d'un contrat de travail ou d'une entente informelle de services ou convenir de le faire.

(2) Le ministère peut approuver les choses énumérées au paragraphe (1) pour l'application de celui-ci et il peut imposer toutes les conditions nécessaires.

(3) Malgré le paragraphe (1), le conseil de Mine Centre peut, en cas d'urgence, faire une des choses qui y sont énumérées.

(4) Le paragraphe (1) n'a pas pour effet d'empêcher le conseil de s'acquitter de ses obligations aux termes des contrats qu'il a conclus avant le 5 juin 2008.

(5) Les dispositions 5 et 6 du paragraphe (1) n'ont pas d'incidence sur la relation d'emploi entre l'employé et le conseil ou sur les droits respectifs qu'ils ont l'un contre l'autre et les obligations respectives qu'ils ont l'un envers l'autre, notamment aux termes d'une convention collective.

(6) Les membres, les agents, les employés et les mandataires du conseil de Mine Centre doivent, sur demande, permettre au ministère d'examiner tout document, dossier ou autre renseignement que le conseil a en sa possession et d'en faire des copies.

**Fusion et mutation d'employés**

3. (1) Les employés du conseil de Mine Centre sont mutés au conseil de Rainy River le 1<sup>er</sup> septembre 2008.

(2) Le conseil de Rainy River prend en charge et maintient le contrat de travail, les conditions d'emploi et les droits et avantages liés à l'emploi, ainsi que les obligations liées à l'emploi, de quiconque devient son employé aux termes de la disposition 1 du paragraphe 58.1 (21) de la Loi.

(3) Immédiatement après la mutation des employés du conseil de Mine Centre au conseil de Rainy River, les deux conseils sont fusionnés et sont prorogés en un seul et même conseil, à savoir le conseil de Rainy River.

**Dispositions transitoires s'appliquant jusqu'aux élections de 2010**

4. Les règles suivantes s'appliquent au cours de la période qui commence le 1<sup>er</sup> septembre 2008 et qui se termine le 30 novembre 2010 :

- a) les intérêts des anciens électeurs du conseil de Mine Centre sont représentés :
  - (i) d'une part, au conseil de Rainy River, par les membres de ce conseil élus pour représenter la ville de Fort Frances ou par leurs successeurs, le cas échéant,
  - (ii) d'autre part, au Conseil scolaire de district du Grand Nord de l'Ontario, par le membre de ce conseil élu pour représenter la ville de Fort Frances ou par son successeur, le cas échéant;
- b) les anciens membres du conseil de Mine Centre ont le droit d'être avisés de toute question qui relevait de la compétence du conseil de Mine Centre avant sa fusion avec le conseil de Rainy River et dont sont saisis les membres de ce dernier, et ils ont le droit d'être consultés à ce sujet;
- c) les anciens membres du conseil de Mine Centre ont le droit de recevoir l'allocation qu'ils auraient touchée par ailleurs en application de l'article 191 de la Loi;
- d) les anciens membres du conseil de Mine Centre ont le droit de recevoir l'allocation prévue à l'article 191.2 de la Loi à l'égard des frais qu'ils engagent et des déplacements qu'ils effectuent avant le 1<sup>er</sup> septembre 2008, mais non à l'égard des frais qu'ils engagent et des déplacements qu'ils effectuent à compter de cette date.

#### Évaluation du rendement des enseignants

5. (1) Le présent article s'applique aux enseignants qui étaient employés par le conseil de Mine Centre le 5 juin 2008 et qui, après la fusion de ce dernier avec le conseil de Rainy River, sont employés par le conseil de Rainy River.

(2) Malgré le paragraphe 4 (3) du Règlement de l'Ontario 99/02 (Évaluation du rendement des enseignants) pris en application de la Loi, la première année pendant laquelle le conseil de Rainy River emploie un enseignant auquel s'applique le présent article n'est pas une année d'évaluation si la dernière année d'évaluation de cet enseignant a eu lieu dans les quatre années précédant la fusion du conseil de Mine Centre avec le conseil de Rainy River.

#### Impôts scolaires

6. (1) Les sommes dues au conseil de Mine Centre après le 31 août 2008 aux termes du paragraphe 257.7 (1) de la Loi ou de l'article 21.1 de la *Loi sur l'impôt foncier provincial* à l'égard de l'année d'imposition 2008 ou d'une année d'imposition antérieure sont versées au conseil de Rainy River.

(2) La définition qui suit s'applique au présent article.

«année d'imposition» L'année pour laquelle les impôts scolaires sont prélevés.

#### Loi de 1996 sur les élections municipales

7. (1) Pour l'application du paragraphe 79 (8) de la *Loi de 1996 sur les élections municipales*, le secrétaire verse au candidat qui a été déclaré candidat à un poste au sein du conseil de Mine Centre lors des élections ordinaires précédant immédiatement le 1<sup>er</sup> septembre 2008, ou à son successeur, s'il y a lieu, la somme détenue pour lui en fiducie, majorée des intérêts, s'il est déclaré candidat à un poste au sein du conseil de Rainy River lors des élections ordinaires suivantes ou d'une élection partielle antérieure.

(2) La somme qui devient payable au conseil de Mine Centre aux termes du paragraphe 79 (9) de la *Loi de 1996 sur les élections municipales* après le 31 août 2008 est versée au conseil de Rainy River.

#### Calendrier scolaire

8. Le ministère peut réviser le calendrier scolaire du conseil de Mine Centre pour l'année scolaire 2008-2009, auquel cas il en informe ce conseil et celui de Rainy River. Le conseil de Mine Centre informe à son tour tous les parents, tuteurs, élèves et employés touchés du calendrier révisé.

#### Entrée en vigueur

9. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) Les articles 1, 3, 4, 5, 6 et 7 entrent en vigueur le 1<sup>er</sup> septembre 2008.

25/08

**ONTARIO REGULATION 179/08**

made under the

**EDUCATION ACT**

Made: June 4, 2008

Filed: June 5, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 467/97

(Deemed District Municipalities (School Authority Jurisdiction) — Tax Rates)

Note: Ontario Regulation 467/97 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Paragraph 1 of section 1 of Ontario Regulation 467/97 is revoked.**

**2. Section 6 of the Regulation is revoked.**

**3. This Regulation comes into force on September 1, 2008.**

25/08

**ONTARIO REGULATION 180/08**

made under the

**EDUCATION ACT**

Made: June 4, 2008

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Amending O. Reg. 468/97

(Deemed District Municipalities (District School Board Jurisdiction) — Tax Rates)

Note: Ontario Regulation 468/97 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 1 (1) of Ontario Regulation 468/97 is amended by adding the following paragraph:**

**6. All lands within an area the boundary sides of which are as follows:**

- i. On the south side, a line starting at the middle of the south side of Claim P-772 and running west along the south side of Claims A1-101, A1-108, AL-134, AL-135, etc. to the centre point of Claim AL-174.
- ii. On the west side, a line running north from the centre point of Claim AL-174 along the west side of Claims HP-99 and HP-187, on through the middle of one of the three small islands K-656 in Little Turtle Lake to a point where a line at right angles will bisect K-659.
- iii. On the north side, a line starting at the point mentioned above and running east along the north side of Claim K-610.
- iv. On the east side, a line starting at the middle point of the south side of Claim P-772 and running north along the east side of Claim HP-138 to a point where it meets the north boundary line of the school section.

**2. Sections 2 and 3 of the Regulation are revoked.**

**3. This Regulation comes into force on September 1, 2008.**

25/08



**ONTARIO REGULATION 181/08**

made under the

**EDUCATION ACT**

Made: June 4, 2008

Filed: June 5, 2008

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Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 412/00

(Elections to and Representation on District School Boards)

Note: Ontario Regulation 412/00 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Item 6 of Table 1 of Ontario Regulation 412/00 is revoked and the following substituted:**

6.	Rainy River District School Board	10,552
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**(2) Item 62 of Table 1 of the Regulation is revoked and the following substituted:**

62.	Conseil scolaire de district du Grand Nord de l'Ontario	63,368
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**2. This Regulation comes into force on September 1, 2008.****RÈGLEMENT DE L'ONTARIO 181/08**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 4 juin 2008

déposé le 5 juin 2008

publié sur le site Lois-en-ligne le 9 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. de l'Ont. 412/00

(Élections aux conseils scolaires de district et représentation au sein de ces conseils)

Remarque : Le Règlement de l'Ontario 412/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

**1. (1) Le point 6 du tableau 1 du Règlement de l'Ontario 412/00 est abrogé et remplacé par ce qui suit :**

6.	Rainy River District School Board	10 552
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**(2) Le point 62 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :**

62.	Conseil scolaire de district du Grand Nord de l'Ontario	63 368
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**2. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 2008.**

**ONTARIO REGULATION 182/08**

made under the

**FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT ACT, 1996**

Made: June 4, 2008

Filed: June 6, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 454/07

(Recommended Standard Terms for Support Orders)

Note: Ontario Regulation 454/07 has not previously been amended.

**1. Section 1 of Ontario Regulation 454/07 is amended by adding the following subsection:**

(3) The standard terms set out in this Regulation may be used in English or in French.

**2. The Regulation is amended by adding the following section:****Definitions****1.1** In this Regulation,

“payor” means a person who is required to pay support under a support order; (“payeur”)

“recipient” means a person entitled to support under a support order or the parent, other than the payor, of a child entitled to support under a support order; (“bénéficiaire”)

**3. (1) Subsection 2 (2) of the Regulation is amended by adding the following definition:**

“special or extraordinary expenses” means expenses ordered under section 7 of the applicable child support guidelines; (“dépenses spéciales ou extraordinaires”)

**(2) The definition of “table amount” in subsection 2 (2) of the Regulation is revoked and the following substituted:**

“table amount” means the amount of child support determined by reference to the applicable table set out in Schedule I of the applicable child support guidelines according to the number of children to whom an order for child support relates and the income of the parent or spouse against whom the order is sought. (“montant prévu dans la table”)

**(3) Subsections 2 (3), (4), (5) and (6) of the Regulation are revoked and the following substituted:**

(3) The following standard term is recommended to be used where child support for a child or children is the table amount:

[Insert name of payor] shall pay child support to [insert name of recipient] for the [specify child or children], [insert child or children's name(s)], born on [insert child or children's date(s) of birth] in the amount of \$[insert amount] per month, in accordance with the Tables under the child support guidelines based on [insert name of payor]'s annual income of \$[insert amount], commencing [insert date] and continuing on the [insert number] day of each month that follows.

(4) The following standard term is recommended to be used where child support for a child or children is an amount other than the table amount:

[Insert name of payor] shall pay child support to [insert name of recipient] for the [specify child or children], [insert child or children's name(s)], born on [insert child or children's date(s) of birth] in the amount of \$[insert amount] per month, commencing [insert date] and continuing on the [insert number] day of each month that follows.

When support for [insert number] of the children ends, [insert name of payor] shall pay child support to [insert name of recipient] for the remaining [insert number] [specify child or children] in the amount of \$[insert amount] per month, commencing [insert date] and continuing on the [insert number] day of each month that follows.

[Repeat and complete the second paragraph as needed until there remains only one child for whom child support is payable.]

(5) The following standard term is recommended to be added after the standard term set out in subsection (3) or (4), as the case may be, where the amount of child support includes an additional amount for special or extraordinary expenses,

(a) in the case of expenses that are known and fixed, for each child:

The annual income of [insert name of payor] is \$[insert amount]. The annual income of [insert name of recipient] is \$[insert amount]. [Insert name of payor] shall pay [insert percentage] per cent of the special or extraordinary expenses under section 7 of the child support guidelines to [insert name of recipient] for [insert item for which expenses are known and fixed] for [insert child's name], born on [insert child's date of birth], in the amount of \$[insert amount] per month, commencing [insert date] and continuing on the [insert number] day of each month that follows until [insert date or event].

[Repeat and complete this paragraph as needed for each item for which known and fixed expenses are to be paid.]

- (b) in the case of expenses that are irregular or change over time:

The annual income of [insert name of payor] is \$[insert amount]. The annual income of [insert name of recipient] is \$[insert amount]. [Insert name of payor] shall pay [insert percentage] per cent of the following special or extraordinary expenses under section 7 of the child support guidelines per month to [insert name of recipient] for the [specify child or children], [insert child or children's name(s)], born on [insert child or children's date(s) of birth], commencing [insert date] and continuing on the [insert number] day of each month that follows until [insert date or event]: [insert list of items for which expenses are irregular or change over time].

- (6) The following standard term is recommended to be used in respect of a variation, under section 37 of the *Family Law Act* or section 17 of the *Divorce Act* (Canada), of an order for child support:

Paragraph [insert paragraph number] of the order of the Honourable [insert Mr. Justice or Madam Justice and name of judge] dated [insert date] is changed as follows:

[Insert and complete applicable recommended standard term or terms set out in subsections (3), (4) and (5).]

All other terms of the order of the Honourable [insert Mr. Justice or Madam Justice and name of judge] dated [insert date] remain in full force and effect.

- (7) The following standard term is recommended to be used to require annual disclosure of income tax documents and, where applicable, proof of special or extraordinary expenses:

- (a) in the case of an order for child support that does not include an additional amount for special or extraordinary expenses:

[Insert name of payor] shall, by [insert month and day] of each year in which child support is payable, deliver to [insert name of recipient] a copy of his or her notice of assessment, notice of reassessment (if any) and income tax return for the previous year.

- (b) in the case of an order for child support that includes an additional amount for special or extraordinary expenses:

[Insert name of payor] shall, by [insert month and day] of each year in which child support is payable, deliver to [insert name of recipient] a copy of his or her notice of assessment, notice of reassessment (if any) and income tax return for the previous year.

[Insert name of recipient] shall, by [insert month and day] of each year in which an amount for special or extraordinary expenses is payable, deliver to [insert name of payor],

- (a) a copy of his or her notice of assessment, notice of reassessment (if any) and income tax return for the previous year; and
- (b) a receipt or other proof of payment for each special or extraordinary expense to which this order applies that was claimed by [insert name of recipient] in the 12 months preceding the date specified in this paragraph.

**4. (1) Subsection 3 (2) of the Regulation is revoked and the following substituted:**

- (2) The following standard term is recommended to be used where spousal support is to be paid,

- (a) in periodic payments for a fixed duration:

[Insert name of payor] shall pay spousal support to [insert name of recipient] in the amount of \$[insert amount] per month commencing [insert date] and continuing on the [insert number] day of each month that follows until [insert date].

- (b) indefinitely in periodic payments:

[Insert name of payor] shall pay spousal support to [insert name of recipient] in the amount of \$[insert amount] per month commencing [insert date] and continuing on the [insert number] day of each month that follows until a court orders otherwise.



(c) in a single payment:

[*Insert name of payor*] shall pay lump sum spousal support to [*insert name of recipient*] in the amount of \$[*insert amount*] on or before [*insert date*].

(2) The term set out in subsection 3 (3) of the Regulation is amended by striking out “[*insert date, time period or interval for review*]” at the end and substituting “[*insert information regarding date, time period or interval for review*]”.

(3) Subsection 3 (5) of the Regulation is revoked and the following substituted:

(5) The following standard term is recommended to be used in respect of a variation, under section 37 of the *Family Law Act* or section 17 of the *Divorce Act* (Canada), of an order for spousal support:

Paragraph [*insert paragraph number*] of the order of the Honourable [*insert Mr. Justice or Madam Justice and name of judge*] dated [*insert date*] is changed as follows:

[*Insert and complete applicable recommended standard term or terms set out in subsections (2), (3) and (4).*]

All other terms of the order of the Honourable [*insert Mr. Justice or Madam Justice and name of judge*] dated [*insert date*] remain in full force and effect.

## 5. The Regulation is amended by adding the following section:

### Support Arrears

3.1 (1) In this section,

“assignee” means a person or agency to which an order for support is assigned under subsection 34 (3) of the *Family Law Act* or subsection 20.1 (1) of the *Divorce Act* (Canada).

(2) The following standard term is recommended to be used where support arrears are owed by the payor only to the recipient:

As of [*insert date*], the support arrears owed to [*insert name of recipient*] by [*insert name of payor*] are fixed in the amount of \$[*insert amount*].

[*Insert name of payor*] shall pay \$[*insert amount*] per month to [*insert name of recipient*] on account of the support arrears commencing [*insert date*] and continuing on the [*insert number*] day of each month that follows until the arrears are paid in full.

(3) The following standard term is recommended to be used where support arrears are owed by the payor only to an assignee:

As of [*insert date*], the support arrears owed to the [*insert name of assignee*] by [*insert name of payor*] are fixed in the amount of \$[*insert amount*].

[*Insert name of payor*] shall pay \$[*insert amount*] per month to the [*insert name of assignee*] on account of the support arrears commencing [*insert date*] and continuing on the [*insert number*] day of each month that follows until the arrears are paid in full.

(4) The following standard terms are recommended to be used where support arrears are owed by the payor to the recipient and to an assignee,

(a) in order to fix the amounts that are owed, and to whom:

As of [*insert date*], the support arrears owed by [*insert name of payor*] are fixed in the total amount of \$[*insert amount*], with \$[*insert amount*] owing to [*insert name of recipient*] and \$[*insert amount*] owing to the [*insert name of assignee*].

(b) in order to set out the terms on which the arrears are to be paid,

(i) where the arrears owed to the recipient are to be paid in full before arrears owing to the assignee may be paid:

[*Insert name of payor*] shall pay \$[*insert amount*] per month to [*insert name of recipient*] on account of the support arrears owed to [*insert name of recipient*] commencing [*insert date*] and continuing on the [*insert number*] day of each month that follows until those arrears are paid in full.

Once the support arrears owed to [*insert name of recipient*] are paid in full, [*insert name of payor*] shall pay \$[*insert amount*] per month to the [*insert name of assignee*] on account of the support arrears owed to the [*insert name of assignee*] until those arrears are paid in full. [*Insert name of payor*] shall pay the arrears on the [*insert number*] day of each month, commencing in the first month after the month in which the arrears owed to [*insert name of recipient*] are paid in full.

- (ii) where the arrears owed to the assignee are to be paid in full before arrears owing to the recipient may be paid:

[Insert name of payor] shall pay \$[insert amount] per month to the [insert name of assignee] on account of the support arrears owed to the [insert name of assignee] commencing [insert date] and continuing on the [insert number] day of each month that follows until those arrears are paid in full.

Once the support arrears owed to the [insert name of assignee] are paid in full, [insert name of payor] shall pay \$[insert amount] per month to the [insert name of recipient] on account of the support arrears owed to the [insert name of recipient] until those arrears are paid in full. [Insert name of payor] shall pay the arrears on the [insert number] day of each month, commencing in the first month after the month in which the arrears owed to the [insert name of assignee] are paid in full.

**6. Section 7 of the Regulation is revoked and the following substituted:**

**Termination of support obligation**

7. The following standard term is recommended to be used in a support order where the obligation to provide support to a dependant is determined to have ended:

The support ordered in paragraph [insert paragraph number] of the order of the Honourable [insert Mr. Justice or Madam Justice and name of judge] dated [insert date] is terminated, effective [insert date].

**7. This Regulation comes into force on the day it is filed.**

**RÈGLEMENT DE L'ONTARIO 182/08**

pris en application de la

**LOI DE 1996 SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS**

pris le 4 juin 2008

déposé le 6 juin 2008

publié sur le site Lois-en-ligne le 9 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. de l'Ont. 454/07

(Conditions types recommandées pour les ordonnances alimentaires)

Remarque : Le Règlement de l'Ontario 454/07 n'a pas été modifié antérieurement.

**1. L'article 1 du Règlement de l'Ontario 454/07 est modifié par adjonction du paragraphe suivant :**

(3) Les conditions types énoncées dans le présent règlement peuvent être utilisées dans leur version française ou anglaise.

**2. Le Règlement est modifié par adjonction de l'article suivant :**

**Définitions**

1.1 Les définitions qui suivent s'appliquent au présent règlement.

«bénéficiaire» Personne qui a droit aux aliments aux termes d'une ordonnance alimentaire ou le père ou la mère, s'il ne s'agit pas du payeur, d'un enfant qui a droit aux aliments aux termes d'une ordonnance alimentaire. («recipient»)

«payeur» Personne qui est tenue de verser des aliments aux termes d'une ordonnance alimentaire. («payor»)

**3. (1) Le paragraphe 2 (2) du Règlement est modifié par adjonction de la définition suivante :**

«dépenses spéciales ou extraordinaires» Dépenses dont le paiement est ordonné aux termes de l'article 7 des lignes directrices applicables sur les aliments pour les enfants. («special or extraordinary expenses»)

**(2) La définition de «montant prévu dans la table» au paragraphe 2 (2) du Règlement est abrogée et remplacée par ce qui suit :**

«montant prévu dans la table» Le montant de l'ordonnance alimentaire à l'égard d'un enfant, déterminé en fonction de la table applicable figurant à l'annexe 1 des lignes directrices applicables sur les aliments pour les enfants, selon le nombre d'enfants visés par l'ordonnance et le revenu du père, de la mère ou du conjoint faisant l'objet de la demande. («table amount»)



**(3) Les paragraphes 2 (3), (4), (5) et (6) du Règlement sont abrogés et remplacés par ce qui suit :**

(3) Il est recommandé d'employer la condition type suivante lorsque les aliments pour un ou plusieurs enfants correspondent au montant prévu dans la table :

[Insérer le nom du payeur/de la payeuse] doit verser des aliments pour les enfants de [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au profit [de l'enfant ou des enfants] [insérer le nom de l'enfant ou des enfants], né(e)s le [insérer sa/leur date de naissance], conformément aux tables des lignes directrices sur les aliments pour les enfants et selon le revenu annuel de [insérer le nom du payeur/de la payeuse], qui s'élève à [insérer le montant] \$, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent.

(4) Il est recommandé d'employer la condition type suivante lorsque les aliments pour un ou plusieurs enfants correspondent à un montant autre que celui prévu dans la table :

[Insérer le nom du payeur/de la payeuse] doit verser des aliments pour les enfants de [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au profit [de l'enfant ou des enfants] [insérer le nom de l'enfant ou des enfants], né(e)s le [insérer sa/leur date de naissance], à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent.

Lorsque cesseront les aliments pour [insérer le nombre] des enfants, [insérer le nom du payeur/de la payeuse] devra verser des aliments pour les enfants de [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au profit [de l'enfant ou des [insérer le nombre] enfants] qui reste/restent, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent.

[Répéter et remplir le deuxième paragraphe au besoin jusqu'à ce qu'il ne reste plus qu'un enfant pour qui des aliments sont payables.]

(5) Il est recommandé d'ajouter la condition type suivante après celle énoncée au paragraphe (3) ou (4), selon le cas, lorsque les aliments pour les enfants comprennent un montant additionnel au titre de dépenses spéciales ou extraordinaires :

a) dans le cas de dépenses qui sont connues et fixes, pour chaque enfant :

Le revenu annuel de [insérer le nom du payeur/de la payeuse] s'élève à [insérer le montant] \$. Le revenu annuel de [insérer le nom du/de la bénéficiaire] s'élève à [insérer le montant] \$. [Insérer le nom du payeur/de la payeuse] doit verser [insérer le pourcentage] pour cent des dépenses spéciales ou extraordinaires, aux termes de l'article 7 des lignes directrices sur les aliments pour les enfants, à [insérer le nom du/de la bénéficiaire] pour [insérer l'élément pour lequel les dépenses sont connues et fixes] au profit de [insérer le nom de l'enfant], né(e) le [insérer sa date de naissance], soit [insérer le montant] \$ par mois, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'au/à [insérer la date ou l'événement].

[Répéter et remplir ce paragraphe au besoin pour chaque élément pour lequel des dépenses connues et fixes sont payables.]

b) dans le cas de dépenses qui sont irrégulières ou qui changent avec le temps :

Le revenu annuel de [insérer le nom du payeur/de la payeuse] s'élève à [insérer le montant] \$. Le revenu annuel de [insérer le nom du/de la bénéficiaire] s'élève à [insérer le montant] \$. [Insérer le nom du payeur/de la payeuse] doit verser chaque mois [insérer le pourcentage] pour cent des dépenses spéciales ou extraordinaires suivantes, aux termes de l'article 7 des lignes directrices sur les aliments pour les enfants, à [insérer le nom du/de la bénéficiaire] au profit [de l'enfant ou des enfants] [insérer le nom de l'enfant ou des enfants], né(e)s le [insérer sa/leur date de naissance], à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'au/à [insérer la date ou l'événement] : [insérer les éléments pour lesquels les dépenses sont irrégulières ou changent avec le temps].

(6) Il est recommandé d'employer la condition type suivante en cas de modification, aux termes de l'article 37 de la *Loi sur le droit de la famille* ou de l'article 17 de la *Loi sur le divorce* (Canada), d'une ordonnance alimentaire à l'égard d'un enfant :

Le paragraphe [insérer le numéro] de l'ordonnance de l'honorable [insérer le nom du/de la juge], datée du [insérer la date], est modifié comme suit :

[Insérer et remplir la ou les conditions types recommandées applicables, énoncées aux paragraphes (3), (4) et (5).]

Toutes les autres conditions de l'ordonnance de l'honorable [insérer le nom du/de la juge], datée du [insérer la date], conservent leur plein effet.

(7) Il est recommandé d'employer la condition type suivante pour exiger la divulgation annuelle des documents relatifs à l'impôt sur le revenu et, s'il y a lieu, une preuve annuelle des dépenses spéciales ou extraordinaires :

a) dans le cas d'une ordonnance alimentaire à l'égard d'un enfant qui ne comprend pas un montant additionnel au titre de dépenses spéciales ou extraordinaires :



[Insérer le nom du payeur/de la payeuse] doit, au plus tard le [insérer le jour et le mois] de chaque année pendant laquelle des aliments pour les enfants sont payables, remettre à [insérer le nom du/de la bénéficiaire] une copie de son avis de cotisation, de son avis de nouvelle cotisation (le cas échéant) et de sa déclaration de revenu de l'année précédente.

- b) dans le cas d'une ordonnance alimentaire à l'égard d'un enfant qui comprend un montant additionnel au titre de dépenses spéciales ou extraordinaires :

[Insérer le nom du payeur/de la payeuse] doit, au plus tard le [insérer le jour et le mois] de chaque année pendant laquelle des aliments pour les enfants sont payables, remettre à [insérer le nom du/de la bénéficiaire] une copie de son avis de cotisation, de son avis de nouvelle cotisation (le cas échéant) et de sa déclaration de revenu de l'année précédente.

[Insérer le nom du/de la bénéficiaire] doit, au plus tard le [insérer le jour et le mois] de chaque année pendant laquelle un montant au titre de dépenses spéciales ou extraordinaires est payable, remettre à [insérer le nom du payeur/de la payeuse] ce qui suit :

- a) une copie de son avis de cotisation, de son avis de nouvelle cotisation (le cas échéant) et de sa déclaration de revenu de l'année précédente;
- b) un reçu ou une autre preuve de paiement pour chaque dépense spéciale ou extraordinaire visée par la présente ordonnance et dont le paiement a été demandé par [insérer le nom du/de la bénéficiaire] au cours des 12 mois précédant la date précisée à la présente disposition.

**4. (1) Le paragraphe 3 (2) du Règlement est abrogé et remplacé par ce qui suit :**

- (2) Il est recommandé d'employer la condition type suivante lorsque les aliments pour le conjoint doivent être versés :

- a) en versements périodiques pour une durée fixe :

[Insérer le nom du payeur/de la payeuse] doit verser à [insérer le nom du/de la bénéficiaire] des aliments pour le conjoint de [insérer le montant] \$ par mois, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'au [insérer la date].

- b) en versements périodiques pour une durée indéterminée :

[Insérer le nom du payeur/de la payeuse] doit verser à [insérer le nom du/de la bénéficiaire] des aliments pour le conjoint de [insérer le montant] \$ par mois, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'à ce qu'un tribunal ordonne autrement.

- c) en un versement unique :

[Insérer le nom du payeur/de la payeuse] doit verser des aliments pour le conjoint de [insérer le montant] \$ au plus tard le [insérer la date], en une somme forfaitaire, à [insérer le nom du/de la bénéficiaire].

(2) La condition énoncée au paragraphe 3 (3) du Règlement est modifiée par substitution de «[insérer les renseignements concernant la date, la période ou la fréquence visée]» à «[insérer la date, la période ou la fréquence visée]» à la fin de la condition.

**(3) Le paragraphe 3 (5) du Règlement est abrogé et remplacé par ce qui suit :**

(5) Il est recommandé d'employer la condition type suivante en cas de modification, aux termes de l'article 37 de la *Loi sur le droit de la famille* ou de l'article 17 de la *Loi sur le divorce* (Canada), d'une ordonnance alimentaire à l'égard d'un conjoint :

Le paragraphe [insérer le numéro] de l'ordonnance de l'honorable [insérer le nom du/de la juge], datée du [insérer la date], est modifié comme suit :

[Insérer et remplir la ou les conditions types recommandées applicables, énoncées aux paragraphes (2), (3) et (4).]

Toutes les autres conditions de l'ordonnance de l'honorable [insérer le nom du/de la juge], datée du [insérer la date], conservent leur plein effet.

**5. Le Règlement est modifié par adjonction de l'article suivant :**

**Arriérés d'aliments**

**3.1 (1)** La définition qui suit s'applique au présent article.

«cessionnaire» Personne, organisme ou administration auquel une ordonnance alimentaire est cédée en vertu du paragraphe 34 (3) de la *Loi sur le droit de la famille* ou du paragraphe 20.1 (1) de la *Loi sur le divorce* (Canada).

(2) Il est recommandé d'employer la condition type suivante lorsque le payeur doit des arriérés d'aliments uniquement au bénéficiaire :

Au [insérer la date], les arriérés d'aliments que [insérer le nom du payeur/de la payeuse] doit à [insérer le nom du/de la bénéficiaire] sont fixés à [insérer le montant] \$.

[Insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au titre des arriérés d'aliments, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'à ce qu'ils soient acquittés en totalité.

(3) Il est recommandé d'employer la condition type suivante lorsque le payeur doit des arriérés d'aliments uniquement à un cessionnaire :

Au [insérer la date], les arriérés d'aliments que [insérer le nom du payeur/de la payeuse] doit à l'/à la/au [insérer le nom du cessionnaire], sont fixés à [insérer le montant] \$.

[Insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à l'/à la/au [insérer le nom du cessionnaire] au titre des arriérés d'aliments, à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'à ce qu'ils soient acquittés en totalité.

(4) Il est recommandé d'employer les conditions types suivantes lorsque le payeur doit des arriérés d'aliments à la fois au bénéficiaire et à un cessionnaire :

a) pour fixer le montant des arriérés et sa répartition :

Au [insérer la date], le total des arriérés d'aliments que doit [insérer le nom du payeur/de la payeuse] est fixé à [insérer le montant] \$, dont [insérer le montant] \$ sont dus à [insérer le nom du/de la bénéficiaire] et [insérer le montant] \$ à l'/à la/au [insérer le nom du cessionnaire].

b) pour fixer les conditions de paiement des arriérés :

(i) lorsque les arriérés dus au bénéficiaire doivent être acquittés en totalité avant que ceux qui sont dus au cessionnaire ne puissent être payés :

[Insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au titre des arriérés d'aliments dus à [insérer le nom du/de la bénéficiaire], à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'à ce qu'ils soient acquittés en totalité.

Après avoir acquitté en totalité les arriérés d'aliments qu'il/elle doit à [insérer le nom du/de la bénéficiaire], [insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à l'/à la/au [insérer le nom du cessionnaire] au titre des arriérés d'aliments dus à l'/à la/au [insérer le nom du cessionnaire] jusqu'à ce qu'ils soient acquittés en totalité. [Insérer le nom du payeur/de la payeuse] doit payer les arriérés d'aliments le [insérer le numéro ordinal] jour de chaque mois, à compter du premier mois qui suit celui où les arriérés dus à [insérer le nom du/de la bénéficiaire] sont acquittés en totalité.

(ii) lorsque les arriérés dus au cessionnaire doivent être acquittés en totalité avant que ceux qui sont dus au bénéficiaire ne puissent être payés :

[Insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à l'/à la/au [insérer le nom du cessionnaire] au titre des arriérés d'aliments dus à l'/à la/au [insérer le nom du cessionnaire], à compter du [insérer la date] et par la suite le [insérer le numéro ordinal] jour de chaque mois subséquent jusqu'à ce qu'ils soient acquittés en totalité.

Après avoir acquitté en totalité les arriérés d'aliments qu'il/elle doit à l'/à la/au [insérer le nom du cessionnaire], [insérer le nom du payeur/de la payeuse] doit payer [insérer le montant] \$ par mois à [insérer le nom du/de la bénéficiaire] au titre des arriérés d'aliments dus à [insérer le nom du/de la bénéficiaire] jusqu'à ce qu'ils soient acquittés en totalité. [Insérer le nom du payeur/de la payeuse] doit payer les arriérés d'aliments le [insérer le numéro ordinal] jour de chaque mois, à compter du premier mois qui suit celui où les arriérés dus à l'/à la/au [insérer le nom du cessionnaire] sont acquittés en totalité.

## 6. L'article 7 du Règlement est abrogé et remplacé par ce qui suit :

### Fin de l'obligation alimentaire

7. Il est recommandé d'employer la condition type suivante dans l'ordonnance alimentaire lorsqu'il est déterminé que l'obligation de fournir des aliments à une personne à charge a pris fin :

Les aliments prévus au paragraphe [insérer le numéro] de l'ordonnance de l'honorable [insérer le nom du/de la juge], datée du [insérer la date], prennent fin le [insérer la date].

7. Le présent règlement entre en vigueur le jour de son dépôt.



**ONTARIO REGULATION 183/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

Made: June 4, 2008

Filed: June 6, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Amending O. Reg. 408/07

(Mortgage Brokerages: Licensing)

Note: Ontario Regulation 408/07 has not previously been amended.

**1. Ontario Regulation 408/07 is amended by adding the following section:****SURRENDER OF LICENCE****Criteria re surrender of licence**

**4.1** The following criteria are prescribed for the purposes of subsection 20 (3) of the Act as criteria to which the Superintendent shall have regard when determining whether it is not in the public interest to allow a licensee to surrender a brokerage licence:

1. Whether the applicant has any funds remaining in a mortgage brokerage trust account that was being maintained under the standards of practice.
2. Whether any funds in the applicant's mortgage brokerage trust account have not been accounted for.
3. Whether the applicant has failed to make reasonable arrangements for the retention of the records required by the standards of practice, or has failed to inform the Superintendent about the location in which the records are to be kept.
4. Whether any deeds, instruments or agreements signed by or on behalf of a borrower, lender or investor or any other documents given to the applicant by the borrower, lender or investor in connection with the applicant's business of dealing or trading in mortgages have not been returned.
5. Whether the applicant has any outstanding fees, charges or penalties payable under the Act.

**2. This Regulation comes into force on July 1, 2008.**

25/08

**ONTARIO REGULATION 184/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

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Amending O. Reg. 409/07

(Mortgage Brokers and Agents: Licensing)

Note: Ontario Regulation 409/07 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 409/07 is amended by adding the following section:****EXPIRY OF BROKERS' AND AGENTS' LICENCES****Expiry date for licences****8.1 (1) In this section,**



“two-year licensing cycle” means the two-year period that begins on April 1, 2010 and ends on March 31, 2012 and each successive two-year period thereafter.

(2) A mortgage broker's licence or mortgage agent's licence that takes effect at the beginning of a two-year licensing cycle or at any time during the licensing cycle expires at the end of the licensing cycle.

(3) A mortgage broker's licence or mortgage agent's licence that takes effect on or after July 1, 2008 and before April 1, 2010 expires on March 31, 2010.

**2. This Regulation comes into force on July 1, 2008.**

25/08

## ONTARIO REGULATION 185/08

made under the

### MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006

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Amending O. Reg. 411/07

(Mortgage Administrators: Licensing)

Note: Ontario Regulation 411/07 has not previously been amended.

**1. Paragraph 4 of subsection 1 (1) of Ontario Regulation 411/07 is revoked and the following substituted:**

4. The corporation has a financial guarantee in an amount equal to \$25,000. The financial guarantee may be unimpaired working capital or it may be another form of financial guarantee acceptable to the Superintendent.

**2. Paragraph 4 of subsection 2 (1) of the Regulation is revoked and the following substituted:**

4. The partnership has a financial guarantee in an amount equal to \$25,000. The financial guarantee may be unimpaired working capital or it may be another form of financial guarantee acceptable to the Superintendent.

**3. Paragraph 4 of subsection 3 (1) of the Regulation is revoked and the following substituted:**

4. The sole proprietorship has a financial guarantee in an amount equal to \$25,000. The financial guarantee may be unimpaired working capital or it may be another form of financial guarantee acceptable to the Superintendent.

**4. The Regulation is amended by adding the following section:**

#### SURRENDER OF LICENCE

##### Criteria re surrender of licence

4.1 The following criteria are prescribed for the purposes of subsection 20 (3) of the Act as criteria to which the Superintendent shall have regard when determining whether it is not in the public interest to allow a licensee to surrender a mortgage administrator's licence:

1. Whether the applicant has any funds remaining in its mortgage administrator's trust account that was being maintained under the standards of practice.
2. Whether any funds in the applicant's mortgage administrator's trust account have not been accounted for.
3. Whether the applicant has failed to make reasonable arrangements for winding up or transferring its business of administering mortgages in Ontario.
4. Whether the applicant has failed to make reasonable arrangements for the retention of the records required by the standards of practice, or has failed to inform the Superintendent about the location in which the records are to be kept.
5. Whether any deeds, instruments or agreements signed by or on behalf of a lender or investor or any other documents given to the applicant by a lender or investor in connection with the applicant's business of administering mortgages have not been returned.
6. Whether the applicant has any outstanding fees, charges or penalties payable under the Act.

5. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 4 comes into force on July 1, 2008.

25/08

## ONTARIO REGULATION 186/08

made under the

### MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006

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Amending O. Reg. 407/07

(Exemptions from the Requirements to be Licensed)

Note: Ontario Regulation 407/07 has not previously been amended.

#### 1. (1) Ontario Regulation 407/07 is amended by adding the following sections:

For personal corporation of broker, agent

8.1 (1) In this section,

“member brokers and agents” means, in respect of a corporation, every broker or agent who is an employee or shareholder of the corporation.

(2) Expressions used in this section have the same meaning as in the standards of practice prescribed for brokerage licences.

(3) A corporation is exempted under subsection 6 (7) of the Act from any requirement to have a brokerage licence if all of the following circumstances exist:

1. Every member broker and agent of the corporation is authorized to deal or trade in mortgages on behalf of a particular brokerage.
2. The corporation does not carry on the business of dealing or trading in mortgages otherwise than by providing the services of its member brokers and agents to the particular brokerage.
3. The corporation does not carry on business as a mortgage lender unless it does so solely through the particular brokerage.
4. The corporation and its member brokers and agents do not represent to the public in any manner, directly or indirectly, that the corporation carries on the business of dealing or trading in mortgages or carries on business as a mortgage lender.
5. The corporation does not receive, directly or indirectly, revenue for dealing or trading in mortgages from any person or entity other than the particular brokerage.
6. The member brokers and agents do not receive, directly or indirectly, fees or other remuneration for dealing or trading in mortgages from any person or entity other than the corporation or the particular brokerage.
7. The corporation does not, on behalf of the particular brokerage, directly or indirectly hold funds or other assets received from borrowers, lenders or investors in connection with dealing or trading in mortgages.
8. A majority of the corporation's directors are member brokers and agents.
9. A majority of the equity of the corporation is legally and beneficially owned, directly or indirectly, by one or more of its member brokers or agents.
10. There is a written agreement between the particular brokerage and each member broker or agent governing the relationship between the brokerage and the broker or agent.
11. There is a written agreement between the corporation and the particular brokerage governing the relationship between the brokerage and the corporation and its member brokers and agents.

12. Under the agreement between the corporation and the particular brokerage, the corporation agrees not to hinder or obstruct the brokerage or its principal broker in the performance of their duties under the Act and not to obstruct or hinder the member brokers and agents in the performance of their duties under the Act.
13. Under the agreement between the corporation and the particular brokerage, the corporation agrees to provide whatever assistance may be reasonably necessary to enable the brokerage and its principal broker to comply with their duties under the Act and to enable the brokerage and its principal broker to ensure that the member brokers and agents are complying with their duties under the Act.
14. Under the agreement between the corporation and the particular brokerage, the corporation agrees to provide whatever assistance may be reasonably necessary to enable the brokerage to determine whether the circumstances entitling the corporation to the exemption established by this section exist.

**For certain corporations (motor vehicle dealership financing)**

**8.2 (1)** In this section,

“eligible mortgage” means a mortgage described in subsection (5);

“registered motor vehicle dealer” means a person who is registered under the *Motor Vehicle Dealers Act* as a motor vehicle dealer.

(2) This section applies to the following corporations:

1. BMW Canada Inc.
2. Consilium Automotive Acceptance Corporation.
3. DaimlerChrysler Financial Services Canada Inc.
4. DCFS Canada Corp.
5. Ford Credit Canada Limited.
6. General Motors Acceptance Corporation of Canada, Limited.
7. Honda Canada Finance Inc.
8. Nissan Canada Inc.
9. Porsche Financial Services Canada.
10. Toyota Credit Canada Inc.
11. VFS Canada Inc.
12. VW Credit Canada, Inc.

(3) A corporation listed in subsection (2) is exempted under subsection 6 (7) of the Act from the requirement in section 2, 3 or 4 of the Act to have a brokerage licence if the corporation deals or trades in, or lends money on the security of, eligible mortgages only and if it does not engage in other activities requiring a brokerage licence.

(4) A corporation listed in subsection (2) is exempted under subsection 6 (9) of the Act from the requirement in section 5 of the Act to have a mortgage administrator's licence if the corporation administers eligible mortgages only and does not engage in other activities requiring a mortgage administrator's licence.

(5) A mortgage is an eligible mortgage for the purposes of this section if all of the following conditions are satisfied:

1. One or more of the following persons or entities is either the borrower under the mortgage or guarantees payment of the mortgage:
  - i. a registered motor vehicle dealer,
  - ii. a person or entity with an ownership interest in a registered motor vehicle dealer,
  - iii. a person or entity in which a registered motor vehicle dealer has an ownership interest.
2. The mortgage loan is made for the purposes of the business for which the registered motor vehicle dealer requires the registration or for the purposes of another business that is ancillary to that business.
3. The real property that secures the mortgage loan is not a residential premises in whole or in part.

**(2) The definition of “registered motor vehicle dealer” in subsection 8.2 (1) of the Regulation, as made by subsection (1), is revoked and the following substituted:**

“registered motor vehicle dealer” means a person who is registered under the *Motor Vehicle Dealers Act, 2002* as a motor vehicle dealer.



**2. Section 10 of the Regulation is amended by adding the following subsection:**

(4) This section does not apply to an individual who is an officer or employee of a corporation that is exempted under section 8.1 or to an individual who is a director, partner or member of the governing body of such a corporation.

**3. The Regulation is amended by adding the following section immediately before the heading "EXEMPTIONS FOR TRADING IN MORTGAGES":**

**Limited exemption, registered real estate brokerages etc.**

**11.1 (1)** In this section,

"registered real estate broker or salesperson" means an individual who is registered under the *Real Estate and Business Brokers Act, 2002* as a broker or salesperson, as the case may be;

"registered real estate brokerage" means a person or entity who is registered under the *Real Estate and Business Brokers Act, 2002* as a brokerage;

"trade in real estate" has the same meaning as in the *Real Estate and Business Brokers Act, 2002*.

(2) If both of the following circumstances exist, a registered real estate brokerage is exempted under subsection 6 (7) of the Act from the requirement in section 2 of the Act to have a mortgage brokerage licence when arranging a vendor take-back mortgage, or attempting to do so, in the course of a trade in real estate:

1. The registered real estate brokerage does not hold itself out as otherwise dealing in mortgages.
2. The registered real estate brokerage does not engage in any other activity that requires a licence under the Act.

(3) If all of the following circumstances exist, a registered real estate broker or salesperson is exempted under subsection 6 (8) of the Act from the requirement in section 2 of the Act to have a mortgage broker's or agent's licence when arranging a vendor take-back mortgage, or attempting to do so, in the course of a trade in real estate:

1. The registered real estate brokerage for whom he or she is a real estate broker or salesperson is exempted by subsection (1) from the requirement to have a mortgage brokerage licence.
2. The registered real estate broker or salesperson does not hold himself or herself out as otherwise dealing in mortgages.
3. He or she does not engage in any other activity that requires a licence under the Act.

**4. (1) Subject to subsection (2), this Regulation comes into force on July 1, 2008.**

**(2) Subsection 1 (2) comes into force on the later of July 1, 2008 and the day that section 12 of Schedule E to the Consumer Protection Statute Law Amendment Act, 2002 comes into force.**

25/08

## ONTARIO REGULATION 187/08

made under the

### MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006

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### MORTGAGE BROKERS AND AGENTS: STANDARDS OF PRACTICE

#### Interpretation

**1. (1)** Expressions used in this Regulation have the same meaning as in the standards of practice prescribed for brokerage licences.

**(2)** In this Regulation,

"licensee name" means, in relation to a mortgage broker or agent, the name in which the licence is issued;

"public relations materials" means, in relation to a mortgage broker or agent,

- (a) any advertisement by the broker or agent in connection with his or her status as a licensee or his or her dealing or trading in mortgages that is published, circulated or broadcast by any means, or

- (b) any material that a broker or agent makes available to the public in connection with his or her status as a licensee or his or her dealing or trading in mortgages.

#### **Standards of practice**

2. The requirements set out in this Regulation are prescribed as standards of practice for every mortgage broker's licence and mortgage agent's licence that is issued under the Act.

#### **Duty re authorizing brokerage**

3. A mortgage broker or agent shall not do or omit to do anything that might reasonably be expected to result in the brokerage on whose behalf he or she is authorized to deal or trade in mortgages to contravene or fail to comply with a requirement established under the Act.

#### **Restriction re remuneration**

4. (1) A mortgage broker or agent shall not receive, directly or indirectly, any fee or other remuneration for dealing or trading in mortgages from a person or entity other than the brokerage on whose behalf he or she is authorized to deal or trade in mortgages.

(2) A broker or agent does not contravene subsection (1) by reason only that he or she receives a fee or remuneration from the brokerage on whose behalf he or she is authorized to deal or trade in mortgages that is paid from money received by the brokerage from another person or entity for services provided by the broker or agent.

#### **Remuneration, non-monetary incentives**

5. (1) In this section,

"home brokerage" means, in relation to a broker or agent, the brokerage on whose behalf the broker or agent is authorized to deal or trade in mortgages;

"outside brokerage" means, in relation to a broker or agent, a brokerage that is not his or her home brokerage.

(2) Despite section 4, a broker or agent may receive, directly or indirectly, an incentive other than money from an outside brokerage or a financial institution for dealing or trading in mortgages if all of the following conditions are satisfied:

1. The broker or agent has the consent of his or her home brokerage.
2. The home brokerage and the outside brokerage or financial institution have a written agreement governing the provision of the incentive to the broker or agent.
3. The broker or agent has a written agreement with the outside brokerage or financial institution governing the provision of the incentive to him or her.
4. Both agreements require the outside brokerage or financial institution to give the home brokerage particulars about the following matters both periodically and upon request:
  - i. the incentives provided by the outside brokerage or financial institution to the broker or agent during the applicable period, and
  - ii. if an incentive entitles the broker or agent to exercise one or more options in the future, particulars of the options exercised during the applicable period.

(3) Despite section 4, until December 31, 2008 a broker or agent may receive, directly or indirectly, an incentive other than money from an outside brokerage or a financial institution for dealing or trading in mortgages if the broker or agent has the written consent of his or her home brokerage.

(4) Subsection (3) is revoked on January 1, 2009.

#### **Remuneration, personal corporation**

6. Despite section 4, a broker or agent who is a shareholder or employee of a corporation that is exempted by section 8.1 of Ontario Regulation 407/07 (Exemptions from the Requirement to be Licensed) made under the Act from the requirement to have a brokerage licence is permitted to receive fees or other remuneration for dealing or trading in mortgages from the corporation if both of the following circumstances exist:

1. The brokerage on whose behalf the broker or agent is authorized to deal or trade in mortgages pays the applicable fees and other remuneration for the broker or agent to the corporation instead of the broker or agent.
2. The amount of the fees and other remuneration paid by the corporation to the broker or agent is not greater than the amount of the fees and other remuneration received from the brokerage for the broker or agent.

#### **Use of licensee name**

7. A mortgage broker or agent shall not deal or trade in mortgages in a name other than his or her licensee name.

**Use of name, etc., in public relations materials**

8. (1) In all of his or her public relations materials, a mortgage broker or agent shall disclose his or her licensee name and the authorized name and licence number of the brokerage on whose behalf he or she is authorized to deal or trade in mortgages, and the names and numbers must be clearly and prominently disclosed.

(2) If the authorized name of the brokerage is, or includes, a franchise name that the brokerage is permitted to use under a franchise agreement, the public relations materials must clearly indicate that the brokerage is independently owned and operated.

(3) In the public relations materials, at least one reference to the broker or agent must include one of the following titles and the materials may also include an equivalent title in another language:

1. When referring to a broker, the title "mortgage broker", "broker", "courtier en hypothèques" or "courtier" or an abbreviation of any of those titles.
2. When referring to an agent, the title "mortgage agent", "agent" or "agent en hypothèques" or an abbreviation of any of those titles.

**Prohibition re public relations materials**

9. A mortgage broker or agent shall not include false, misleading or deceptive information in his or her public relations materials.

**Duty to provide licence information**

10. Upon request, a mortgage broker or agent shall give to a person the broker's or agent's licensee name, licence number and the authorized name and licence number of the brokerage on whose behalf the broker or agent is authorized to deal or trade in mortgages.

**Required addresses**

11. (1) A mortgage broker or agent shall maintain a mailing address in Ontario that is suitable to permit service by registered mail.

(2) A mortgage broker or agent shall maintain an e-mail address.

**Commencement**

12. (1) Subject to subsection (2), this Regulation comes into force on July 1, 2008.

(2) Section 8 comes into force on January 1, 2009.

25/08

**ONTARIO REGULATION 188/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

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## INTERPRETATION

**Definitions****1. In this Regulation,**

“authorized name” means, in relation to a brokerage, any name in which the brokerage is licensed;

“authorized trust account” means, in relation to a brokerage, its mortgage brokerage trust account established in accordance with section 50;

“business day” means a day that is not a Saturday or holiday within the meaning of section 87 of the *Legislation Act, 2006*;

“deemed trust funds” means, in relation to a brokerage, money that is deemed by section 49 to be held in trust by the brokerage;

“investor” means a person or entity who makes an investment in a mortgage through the purchase or exchange of a loan or an interest in a loan on the security of real estate;

“public relations materials” means, in relation to a brokerage,

(a) any advertisement by the brokerage in connection with its business as a brokerage that is published, circulated or broadcast by any means, or

(b) any material that a brokerage makes available to the public in connection with its business as a brokerage;

“trade completion date” means, in relation to a mortgage, the earlier of,

(a) the date on which an investor, or a brokerage on behalf of an investor, enters into an agreement to trade in the mortgage, or

(b) the date on which the trade in the mortgage is completed.

**Designated classes of lenders and investors**

**2. (1)** For the purposes of this Regulation, a person or entity is a member of a designated class of lenders and investors if the person or entity is a member of any of the following classes:

1. The Crown in right of Ontario, Canada or any province or territory of Canada.

2. A brokerage acting on its own behalf.

3. A financial institution.

4. A corporation that is a subsidiary of a person or entity described in paragraph 1, 2 or 3.

5. A corporation that is an approved lender under the *National Housing Act* (Canada).

6. An administrator or trustee of a registered pension plan within the meaning of subsection 248 (1) of the *Income Tax Act* (Canada).

7. A person or entity who is registered as an adviser or dealer under the *Securities Act* when the person or entity is acting as a principal or as an agent or trustee for accounts that are fully managed by the person or entity.

8. A person or entity who is registered under securities legislation in another province or territory of Canada with a status comparable to that described in paragraph 7 when the person or entity is acting as a principal or as an agent or trustee for accounts that are fully managed by the person or entity.

9. A person or entity, other than an individual, who has net assets of at least \$5 million as reflected in its most recently-prepared financial statements and who provides written confirmation of this to the brokerage.

10. An individual who, alone or together with his or her spouse, has net assets of at least \$5 million and who provides written confirmation of this to the brokerage.

11. An individual who, alone or together with his or her spouse, beneficially owns financial assets (being cash, securities within the meaning of the *Securities Act*, the cash surrender value of a life insurance contract, a deposit or evidence of a deposit) that have an aggregate realizable value that, before taxes but net of any related liabilities, exceeds \$1 million and who provides written confirmation of this to the brokerage.

12. An individual whose net income before taxes in each of the two most recent years exceeded \$200,000 or whose net income before taxes in each of those years combined with that of his or her spouse in each of those years exceeded \$300,000, who has a reasonable expectation of exceeding the same net income or combined net income, as the case may be, in the current year and who provides written confirmation of this to the brokerage.
13. A person or entity in respect of which all of the owners of interests, other than the owners of voting securities required by law to be owned by directors, are persons or entities described in paragraphs 1 to 12.

(2) In this section,

“spouse” means spouse as defined in section 29 of the *Family Law Act*.

#### **Duties re syndicated mortgages**

3. If there is more than one lender under a mortgage or if there is more than one investor who makes an investment in a mortgage, a brokerage owes to each of the lenders or investors the duties imposed by this Regulation in respect of the mortgage or investment.

### **STANDARDS OF PRACTICE**

#### **Standards of practice**

4. The requirements set out in this Regulation are prescribed as standards of practice for every brokerage licence that is issued under the Act.

### **PUBLIC RELATIONS**

#### **Use of authorized name**

5. A brokerage shall not carry on business in a name other than its authorized name.

#### **Use of name, etc., in public relations materials**

6. (1) A brokerage shall disclose its authorized name and its licence number in all of its public relations materials and the name and number must be clearly and prominently disclosed.

(2) If the authorized name of a brokerage is, or includes, a franchise name that the brokerage is permitted to use under a franchise agreement, the public relations materials must clearly indicate that the brokerage is independently owned and operated.

(3) If, in its public relations materials, a brokerage identifies a broker or agent by name, the brokerage shall use the name in which the broker or agent is licensed.

(4) If, in its public relations materials, a brokerage refers to a broker or agent, the materials must include at least one reference to the broker or agent that includes one of the following titles, and the materials may also include an equivalent title in another language:

1. When referring to a broker, the title “mortgage broker”, “broker”, “courtier en hypothèques” or “courtier” or an abbreviation of any of those titles.
2. When referring to an agent, the title “mortgage agent”, “agent” or “agent en hypothèques” or an abbreviation of any of those titles.

#### **Prohibition re public relations materials**

7. A brokerage shall not include false, misleading or deceptive information in its public relations materials.

#### **Duty to provide licence information**

8. (1) Upon request, a brokerage shall give to a person the licence number of the brokerage and the name and licence number of any broker or agent who is authorized to deal or trade in mortgages on behalf of the brokerage.

(2) Subsection (1) does not require the brokerage to give a person the names and licence numbers of all or substantially all of its brokers or agents.

#### **Complaints by the public**

9. (1) If a person makes a complaint to the brokerage in writing about the mortgage business activities of the brokerage or of any broker or agent authorized to deal or trade in mortgages on its behalf, the brokerage shall give the person a written response to the complaint setting out the brokerage’s proposed resolution of the complaint.

(2) The written response must also tell the person who made the complaint that, if the person is not satisfied with the proposed resolution and if the person believes that the complaint relates to a contravention of the Act or a regulation, the person may refer the complaint to the Superintendent.



## CUSTOMER RELATIONS

**Duty to verify customer's identity**

10. (1) A brokerage shall take reasonable steps to verify the identity of each borrower and lender to whom it intends to present a mortgage or renewal for consideration.

(2) A brokerage shall take reasonable steps to verify the identity of each investor to whom it intends to present an investment in a mortgage for consideration.

**Duty to verify other party's identity**

11. (1) If a brokerage wishes to present a mortgage or renewal to a borrower for consideration, the brokerage shall take reasonable steps to verify the identity of each lender.

(2) If a brokerage wishes to present a mortgage or renewal to a lender for consideration, the brokerage shall take reasonable steps to verify the identity of each borrower.

(3) Subsection (2) does not apply if the lender is otherwise required by law to verify the borrower's identity.

(4) If a brokerage wishes to present an investment in a mortgage to an investor for consideration, the brokerage shall take reasonable steps to verify the identity of every other investor involved in the trade.

(5) Subsection (4) does not apply if another brokerage is acting as the representative of the other investor in the trade.

(6) The brokerage shall advise the borrower, lender or investor, as the case may be, if the brokerage is unable to verify the identity of another party to the transaction,

(a) before the borrower enters into the mortgage agreement or signs a mortgage instrument or a mortgage renewal agreement, as the case may be, with the lender;

(b) before submitting the borrower's mortgage application to the lender or arranging for a mortgage renewal agreement with the lender; or

(c) before the trade completion date for the investment in a mortgage.

**Duty re unlawful transactions**

12. A brokerage shall not act as a representative of a borrower, lender or investor in respect of a mortgage if the brokerage has reasonable grounds to believe that the mortgage, its renewal or the investment in it is unlawful.

**Duty re borrower's legal authority**

13. If a brokerage has reason to doubt a borrower's legal authority to mortgage a property, the brokerage shall so advise each prospective lender at the earliest opportunity.

**Duty re accuracy of mortgage application**

14. If a brokerage has reason to doubt the accuracy of information contained in a borrower's mortgage application or in a document submitted in support of an application, the brokerage shall so advise each prospective lender at the earliest opportunity.

**Restriction re tied selling**

15. (1) A brokerage shall not coerce a borrower, lender or investor to obtain a product or service from a particular person or entity, including the brokerage, as a condition for obtaining another service from the brokerage.

(2) For the purposes of subsection (1), a brokerage does not coerce a borrower, lender or investor, as the case may be, by virtue of offering a service to the borrower, lender or investor on more favourable terms than it would otherwise offer, if the more favourable terms are offered on the condition that the borrower, lender or investor obtains another product or service from a particular person or entity, including the brokerage.

**Restriction re guarantees**

16. A brokerage shall not, directly or indirectly, offer or make any guarantee to a lender in respect of a mortgage or to an investor in respect of an investment in a mortgage.

**Duty to return certain documents**

17. (1) A brokerage shall not unreasonably withhold any deed, instruments or other documents from their owner.

(2) A brokerage shall promptly, without charge, return deeds, instruments or other documents to their owner when requested in writing to do so by the Superintendent, the owner or the owner's agent.

## INFORMATION ABOUT THE BROKERAGE

**Disclosure re role of brokerage**

18. (1) A brokerage shall disclose in writing to a prospective borrower or lender the following information about the nature of its relationship with borrowers and lenders:

1. Information about whether, and when, the brokerage is acting as a representative of the lender but not the borrower in a transaction.
  2. Information about whether, and when, the brokerage is acting as a representative of the borrower but not the lender in a transaction.
  3. Information about whether, and when, the brokerage is acting as a representative of both the borrower and the lender in a transaction and is not giving preference to the interests of either.
- (2) Subsection (1) does not apply when the brokerage is the mortgage lender.

**Disclosure of brokerage's relationship with lenders**

19. (1) A brokerage shall disclose in writing to a borrower the number of lenders on whose behalf the brokerage acted as a representative during the previous fiscal year and shall indicate whether the brokerage itself was a lender.

(2) When there are two or more lenders under one mortgage, they are deemed to be one lender for the purposes of subsection (1).

(3) Upon request, a brokerage shall disclose the following information in writing to a borrower:

1. Whether the brokerage itself was the lender for more than 50 per cent of the total number of mortgages and mortgage renewals completed by the brokerage during the previous fiscal year.
2. The name of the lender, if any, with whom the brokerage arranged mortgages during the previous fiscal year if the mortgages constituted more than 50 per cent of the total number of mortgages and mortgage renewals completed by the brokerage during the previous fiscal year.

## INFORMATION ABOUT FEES AND OTHER PAYMENTS

**Representations re status of payments**

20. (1) A brokerage shall not, directly or indirectly, represent to any person or entity that any amounts payable to the brokerage in connection with carrying on the business of dealing or trading in mortgages or carrying on business as a mortgage lender are set or approved by any government authority.

(2) Subsection (1) does not apply with respect to disbursements that may be made by a brokerage for fees payable to register or deposit instruments under the *Land Titles Act* or the *Registry Act*.

**Fees, etc., payable by others**

21. (1) A brokerage shall give the following information, in writing, to a borrower in connection with a mortgage or renewal that it presents for the borrower's consideration:

1. Whether the brokerage has received, may receive or will receive a fee or other remuneration, directly or indirectly, from another person or entity in connection with the negotiation or arrangement of the mortgage or renewal.
2. If a fee or other remuneration is or may be payable to the brokerage, the identity of the other person or entity, the basis for calculating the amount of the fee or other remuneration and, in case of a benefit other than money, the nature of the benefit.
3. Whether a broker or agent who is authorized to deal or trade in mortgages on the brokerage's behalf has received, may receive or will receive payment of an incentive from another person or entity in connection with the negotiation or arrangement of the mortgage or renewal.
4. If an incentive is or may be payable to a broker or agent, the nature of the incentive and the identity of the other person or entity.

(2) The brokerage shall obtain the borrower's written acknowledgement that the brokerage made the disclosure required by this section.

**Fees, etc., payable by the brokerage to others**

22. (1) A brokerage shall give the following information, in writing, to a borrower in connection with a mortgage or renewal that it presents for the borrower's consideration:

1. Whether the brokerage has paid, may pay or will pay a fee or other remuneration, directly or indirectly, to another person or entity in connection with the negotiation or arrangement of the mortgage or renewal.



2. If a fee or other remuneration is or may be payable, the identity of the other person or entity, the basis for calculating the amount of the fee or other remuneration and, in case of a benefit other than money, the nature of the benefit.

(2) The brokerage shall obtain the borrower's written acknowledgement that the brokerage made the disclosure required by this section.

**Fees, etc., receivable by brokerage for referral**

23. If a brokerage refers a borrower, lender or investor or a prospective borrower, lender or investor to another person or entity for a fee or other remuneration, the brokerage shall give the following information, in writing, to the borrower, lender or investor or prospective borrower, lender or investor either before or when making the referral:

1. A description of the nature of the relationship between the brokerage and the other person or entity.
2. A statement concerning whether the brokerage has received, may receive or will receive a fee or other remuneration, directly or indirectly, for making the referral.

**DUTIES IN PARTICULAR TRANSACTIONS**

**Duty re suitability of mortgage for customer**

24. (1) A brokerage shall take reasonable steps to ensure that any mortgage or investment in a mortgage that it presents for the consideration of a borrower, lender or investor, as the case may be, is suitable for the borrower, lender or investor having regard to the needs and circumstances of the borrower, lender or investor.

(2) Subsection (1) does not apply if the borrower, lender or investor, as the case may be, is another brokerage or a financial institution.

**Disclosure of material risks**

25. (1) A brokerage shall disclose in writing to a borrower, lender or investor, as the case may be, the material risks of each mortgage or investment in a mortgage that the brokerage presents for the consideration of the borrower, lender or investor.

(2) Subsection (1) does not apply if the lender or investor, as the case may be, is a member of a designated class of lenders and investors.

(3) The brokerage shall obtain the written acknowledgement of the borrower, lender or investor, as the case may be, that the brokerage made the disclosure required by this section.

**Disclosure of brokerage's relationships**

26. (1) A brokerage shall disclose in writing to a borrower the nature of the relationship between the brokerage and each lender under a mortgage that it presents for the borrower's consideration, including whether the brokerage itself is a lender under the mortgage.

(2) A brokerage shall disclose in writing to each lender the nature of the relationship between the brokerage and each borrower under a mortgage that it presents for the lender's consideration.

(3) A brokerage shall disclose in writing to an investor the nature of the relationship between the brokerage and each party to the trade in a mortgage that it presents for the investor's consideration.

(4) The brokerage shall obtain the written acknowledgement of the borrower, lender or investor, as the case may be, that the brokerage made the disclosure required by this section.

**Disclosure of potential conflicts of interest**

27. (1) A brokerage shall disclose in writing to a borrower, lender or investor, as the case may be, any conflict of interest that the brokerage or any broker or agent authorized to deal or trade in mortgages on its behalf may have in connection with a mortgage or a trade in a mortgage that the brokerage presents for the consideration of the borrower, lender or investor.

(2) The brokerage shall obtain the written acknowledgement of the borrower, lender or investor, as the case may be, that the brokerage made the disclosure required by this section.

(3) Subsection (1) does not apply if the lender is another brokerage.

(4) Subsection (1) does not apply if the investor is another brokerage or a financial institution.

**Duty re mortgage previously in default**

28. (1) A brokerage shall not sell or attempt to sell or arrange or attempt to arrange the sale of a mortgage that has been in default at any time in the preceding 12 months unless the brokerage informs the investor of the amount and duration of the default.

(2) A brokerage shall obtain the investor's written acknowledgement that the brokerage has made the disclosure required by this section.



**Duties re reverse mortgages**

**29. (1)** A brokerage shall not arrange or enter into a reverse mortgage with a borrower unless the brokerage receives from the borrower a written statement signed by a lawyer stating that the lawyer has given the borrower independent legal advice about the proposed reverse mortgage.

**(2)** For the purposes of this section, a mortgage is a reverse mortgage if both of the following conditions are satisfied:

1. The money that is advanced under the mortgage does not have to be repaid until the occurrence of one or more of the following events:
  - i. The borrower's death or, if there is more than one borrower, the death of the last surviving borrower.
  - ii. The acquisition by the borrower or the last surviving borrower, as the case may be, of another dwelling to use as his or her principal residence.
  - iii. The sale of the mortgaged property.
  - iv. The borrower's or last surviving borrower's vacating the mortgaged property to live elsewhere with no reasonable prospect of returning.
  - v. An event of default under the conditions of the mortgage.
2. One or more of the following conditions applies while the borrower or last surviving borrower, as the case may be, continues to occupy the mortgaged property as his or her principal residence and otherwise complies with the terms of the mortgage:
  - i. No instalment repayments of the principal and no payment of interest on the principal are due or capable of becoming due.
  - ii. Although interest payments may become due, no repayment of all or part of the principal is due or capable of becoming due.
  - iii. Although interest payments and repayment of part of the principal may become due, repayment of all of the principal is not due or capable of becoming due.

**Temporary disclosure form for borrowers re cost of borrowing**

**30. (1)** A brokerage shall give a borrower the following information and documents about each mortgage that the brokerage presents for the borrower's consideration:

1. A completed disclosure form, in a form approved by the Superintendent, signed by a broker.
2. The principal amount of the mortgage.
3. The annual interest rate or, in the case of a mortgage with a variable interest rate, the method of determining the annual interest rate.
4. The applicable instalment period and the amount of each instalment payment.
5. The amortization period for the mortgage and particulars of any compounding of interest.
6. Particulars of the fees and costs that are payable by the borrower, indicating any amounts that are to be deducted from the principal amount of the mortgage.
7. The net amount to be advanced under the mortgage.
8. The term of the mortgage and the amount that the borrower will owe when the term expires, if all payments have been made on the due date and any prepayment privilege is not used.
9. Particulars of any rights, obligations, charges and penalties that apply with respect to the mortgage, including any rights and obligations referred to in section 24 or subsection 25 (1) of the Act or any charges or penalties referred to in section 24 or subsection 25 (1) of the Act, as the case may be.
10. Other terms and conditions of the mortgage.

**(2)** For the purposes of clause 23 (2) (b) of the Act, the cost of borrowing is composed of the fees and costs that are payable by the borrower and are not deducted from the principal amount of the mortgage, and it must be expressed as a percentage accurate to within one eighth of 1 per cent.

**(3)** The brokerage shall give the borrower the information and documents required by subsection (1) at least 72 hours, excluding Sundays and holidays, before the borrower is asked to sign a mortgage instrument or a commitment to enter into the mortgage.

**(4)** The 72-hour period referred to in subsection (3) may be reduced to 24 hours if the borrower obtains independent legal advice about the mortgage.

- (5) Subsection (3) does not apply,
- (a) if the lender is a financial institution; and
- (b) if the borrower is not required to pay a brokerage fee to the brokerage.
- (6) This section is revoked on January 1, 2009.

**Disclosure form for lenders and investors re mortgages**

**31. (1)** A brokerage shall give each lender or investor the following information and documents with respect to a mortgage or a trade in a mortgage that the brokerage presents for the consideration of the lender or investor:

- 1. A completed disclosure form, in a form approved by the Superintendent, signed by a broker.
- 2. If the investment is in an existing mortgage, a copy of the mortgage instrument.
- 3. If an appraisal of the applicable property has been done in the preceding 12 months and is available to the brokerage, a copy of the appraisal.
- 4. If an appraisal of the applicable property is not available as described in paragraph 3, documentary evidence of the value of the property, other than an agreement of purchase and sale.
- 5. If an agreement of purchase and sale in respect of the property has been entered into in the preceding 12 months and is available to the brokerage, a copy of the agreement of purchase and sale.
- 6. Documentary evidence of the borrower's ability to meet the mortgage payments.
- 7. A copy of the application for the mortgage and of any document submitted in support of the application.
- 8. If the mortgage is a new mortgage, documentary evidence of any down payment made by the borrower for the purchase of the property.
- 9. A copy of any agreement that the lender or investor may be asked to enter into with the brokerage.
- 10. All other information, in writing, that a lender or investor of ordinary prudence would consider to be material to a decision about whether to lend money on the security of the property or to invest in the mortgage.

(2) Subsection (1) does not apply if the lender or investor is a member of a designated class of lenders and investors.

(3) A brokerage shall obtain the lender's or investor's written acknowledgement that the brokerage has disclosed the information and documents required by this section.

**Disclosure form for lenders re mortgage renewals**

**32. (1)** A brokerage shall give each lender the following information and documents with respect to a renewal of a mortgage that the brokerage presents for the lender's consideration:

- 1. A completed renewal disclosure form, in a form approved by the Superintendent, signed by a broker.
- 2. If an appraisal of the property has been done in the preceding 12 months and is available to the brokerage, a copy of the appraisal.
- 3. If an agreement of purchase and sale in respect of the property has been entered into in the preceding 12 months and is available to the brokerage, a copy of the agreement of purchase and sale.
- 4. All other information, in writing, that a lender of ordinary prudence would consider to be material to a decision about whether to renew the mortgage.

(2) Subsection (1) does not apply if the lender is a member of a designated class of lenders and investors.

(3) A brokerage shall obtain the lender's written acknowledgement that the brokerage has disclosed the information and documents required by this section.

**GENERAL REQUIREMENTS FOR DISCLOSURES**

**Clarity of disclosure, etc.**

**33.** A written disclosure, consent or acknowledgement required by this Regulation must be expressed in plain language that is clear and concise and it must be presented in a manner that is logical and is likely to bring to the attention of the borrower, lender or investor, as the case may be, the information that is required to be conveyed.

**Disclosure based on estimate, etc.**

**34. (1)** The information to be disclosed under this Regulation to a borrower, lender or investor may be an estimate or may be based upon an assumption if, when the disclosure is made, the brokerage cannot know the actual information to be disclosed and if the estimate or assumption is reasonable.



(2) If the information disclosed under this Regulation to a borrower, lender or investor is an estimate or is based upon an assumption, the brokerage shall so notify the borrower, lender or investor, as the case may be, in writing.

**Deadline for disclosures to borrowers**

35. (1) Unless the context requires otherwise, every disclosure of information to a borrower that is required by this Regulation must be made at the earliest opportunity and, in any case, no later than two business days before the borrower enters into a mortgage agreement or signs a mortgage instrument, whichever is the earlier.

(2) If the borrower consents in writing to receiving the disclosure after the deadline described in subsection (1), the disclosure may instead be made at any time before the borrower signs a mortgage instrument.

**Deadline for disclosures to lenders and investors**

36. (1) Unless the context requires otherwise, every disclosure of information to a lender or investor that is required by this Regulation must be made at the earliest opportunity and, in any case, no later than two business days before the earliest of the following events:

1. The brokerage receives money from the lender or investor.
2. The brokerage enters into an agreement to receive money from the lender or investor.
3. The lender enters into an agreement to enter into a mortgage or the investor enters into an agreement to purchase, exchange or sell a mortgage.
4. The money is advanced to the borrower under the mortgage.
5. The trade completion date.

(2) If the lender or investor consents in writing to receiving the disclosure after the deadline described in subsection (1), the disclosure may instead be made no later than one business day before the earliest of the events described in that subsection.

**PAYMENTS BY BORROWERS, LENDERS, INVESTORS**

**Advance payment by borrower**

37. (1) If the principal amount of a mortgage is \$300,000 or less, a brokerage shall not require a borrower to make, and shall not accept, an advance payment or deposit for services to be rendered or expenses to be incurred by the brokerage or any other person.

(2) Before January 1, 2009, if the principal amount of a mortgage is \$200,000 or less, a brokerage shall not require a borrower to make, and shall not accept, an advance payment or deposit for services to be rendered or expenses to be incurred by the brokerage or any other person.

(3) Subsection (2) is revoked on January 1, 2009.

**Payment, etc., by lender or investor**

38. (1) A brokerage shall not receive money from a lender or enter into an agreement to receive money from a lender in connection with any activity requiring a brokerage licence unless an application has been made for a mortgage on a specific property.

(2) A brokerage shall not receive money from an investor or enter into an agreement to receive money from an investor in connection with any activity requiring a brokerage licence unless an existing mortgage is available on a specific property.

**Receipt for deemed trust funds**

39. Upon receiving from a person or entity money that constitutes deemed trust funds, the brokerage shall give the person or entity a written statement setting out the following information:

1. The amount of the money received by the brokerage.
2. The date on which the brokerage received the money.
3. The name of the person or entity from whom the money was received and, if the money was received on behalf of another person or entity, the name of that person or entity.
4. The purpose for which the money was received, including particulars of the mortgage, if any, to which the money relates.
5. The terms on which the brokerage holds the money.
6. The name of the broker or agent who received the money on behalf of the brokerage.



## MANAGING THE BROKERAGE

**Duty to establish policies and procedures**

**40.** (1) A brokerage shall establish and implement policies and procedures that are reasonably designed to ensure that the brokerage and every broker and agent who is authorized to deal or trade in mortgages on its behalf complies with the requirements established under the Act.

(2) A brokerage shall establish and implement policies and procedures providing for the adequate supervision of every broker and agent who is authorized to deal or trade in mortgages on its behalf.

(3) Without limiting the generality of subsections (1) and (2), the brokerage shall establish and implement policies and procedures in respect of the following matters:

1. The description of the role of the brokerage in relation to borrowers and lenders and its disclosure to borrowers and lenders as required by this Regulation.
2. The verification of the identity of borrowers, lenders and investors in the circumstances required by this Regulation.
3. The determination of the suitability of a mortgage or investment in a mortgage for a borrower, lender or investor, as the case may be.
4. The identification of the material risks of a mortgage or investment in a mortgage for a borrower, lender or investor, as the case may be, and their disclosure to the borrower, lender or investor, as the case may be, as required by this Regulation.
5. The identification of potential conflicts of interest between the brokerage or any broker or agent authorized to deal or trade in mortgages on its behalf and a borrower, lender or investor who is represented by the brokerage, and their disclosure to the borrower, lender or investor, as the case may be, as required by this Regulation.
6. The provision of incentives other than money for dealing or trading in mortgages to its brokers and agents by other persons and entities, if the brokerage permits any of its brokers or agents to receive such incentives.
7. The provision of incentives other than money for dealing or trading in mortgages to brokers and agents who are authorized by another brokerage to deal or trade in mortgages on the other brokerage's behalf, if the brokerage provides incentives to any brokers or agents of the other brokerage.

**Duty to establish complaints process**

**41.** (1) A brokerage shall establish a process for resolving complaints from the public about the mortgage business activities of the brokerage or of any broker or agent authorized to deal or trade in mortgages on its behalf.

(2) The brokerage shall designate one or more individuals to receive and attempt to resolve complaints from the public, and each designated individual must be an employee of the brokerage or someone who is otherwise authorized to act on its behalf.

(3) The brokerage shall keep a record of all written complaints received from the public by the brokerage and all written responses by the brokerage.

**Duty to have insurance**

**42.** (1) A brokerage shall maintain errors and omissions insurance in a form approved by the Superintendent with extended coverage for loss resulting from fraudulent acts or shall have some other form of assurance in a form approved by the Superintendent.

(2) The insurance or other assurance must be sufficient to pay a minimum of \$500,000 in respect of any one occurrence involving the brokerage or any broker or agent authorized to deal or trade in mortgages on its behalf and \$1 million in respect of all occurrences during a 365-day period involving the brokerage or any such broker or agent.

**Duty re authorization of brokers, agents**

**43.** (1) A brokerage shall not authorize an individual to deal or trade in mortgages on its behalf unless the brokerage takes reasonable steps to satisfy itself that the individual is eligible to be licensed as a broker or agent.

(2) A brokerage shall not authorize an individual to deal or trade in mortgages on its behalf if the brokerage knows, or reasonably ought to know, that the individual is a broker or agent who is authorized to deal or trade in mortgages on behalf of another brokerage.

(3) A brokerage shall immediately notify the Superintendent if the brokerage believes that there may be reasonable grounds upon which the Superintendent could determine that a broker or agent is not suitable to be licensed under the Act.

**Restrictions on payments by brokerage**

**44.** (1) A brokerage shall not pay a fee or other remuneration for dealing or trading in mortgages on its behalf to another person or entity that carries on the business of dealing or trading in mortgages unless the other person or entity either has a brokerage licence or is exempted from the requirement to have such a licence.

(2) A brokerage shall not pay a fee or other remuneration to an individual for dealing or trading in mortgages on its behalf if the brokerage knows, or reasonably ought to know, that the individual is a broker or agent who is authorized to deal or trade in mortgages on behalf of another brokerage.

**Payment of incentives other than money**

45. (1) Despite subsection 44 (2), a brokerage is permitted to provide an incentive other than money for dealing or trading in mortgages to a broker or agent who is authorized to deal or trade in mortgages on behalf of another brokerage if all of the following conditions are satisfied:

1. The broker or agent has obtained the consent of the other brokerage.
2. The brokerages have a written agreement governing the provision of the incentive to the broker or agent.
3. The brokerage has a written agreement with the broker or agent governing the provision of the incentive to him or her.
4. Both agreements require the brokerage to give the other brokerage particulars of the following matters both periodically and upon request:
  - i. the incentives provided by the brokerage to the broker or agent during the applicable period, and
  - ii. if an incentive entitles the broker or agent to exercise one or more options in the future, particulars of the options exercised during the applicable period.

(2) Despite subsection 44 (2), until December 31, 2008, a brokerage is permitted to provide an incentive other than money for dealing or trading in mortgages to a broker or agent who is authorized to deal or trade in mortgages on behalf of another brokerage if the broker or agent has obtained the written consent of the other brokerage.

(3) Subsection (2) is revoked on January 1, 2009.

**Required records**

46. (1) A brokerage shall maintain the following records:

1. Complete and accurate financial records of its licensed activities in Ontario.
2. Complete and accurate records of every mortgage application, mortgage instrument and mortgage renewal agreement received or arranged by the brokerage.
3. Complete and accurate records of every other agreement entered into by the brokerage in the course of dealing or trading in mortgages or in the course of mortgage lending.
4. Complete and accurate records of all documents or written information given to or obtained from a borrower or prospective borrower, a lender or prospective lender, an investor or prospective investor or any other person or entity pursuant to a requirement established under the Act.

(2) The financial records maintained by a brokerage must distinguish between the deemed trust funds held by the brokerage and any other assets pertaining to other activities.

**Security of records**

47. A brokerage shall take adequate precautions, appropriate to the form of its records, to guard against the falsification of the records.

**Records retention**

48. (1) A brokerage shall retain all records that relate to a mortgage or mortgage renewal agreement, as the case may be, for at least six years after the expiry of the term of the mortgage or renewal or other expiry of the mortgage transaction.

(2) A brokerage shall retain all records that relate to a purchase, sale or trade in a mortgage for at least six years after the trade completion date or other expiry of the transaction.

(3) A brokerage shall retain for at least six years all other records that are required by subsection 46 (1) or that the brokerage is otherwise required to create or maintain under the Act.

(4) A brokerage shall retain the records described in subsections (1), (2) and (3) at its principal place of business in Ontario, if any, or, if the brokerage has notified the Superintendent that it keeps records at other specified premises in Ontario, at those premises.

(5) If the records described in subsection (1), (2) or (3) originate at another place of business, the brokerage shall forward them to its principal place of business in Ontario, if any, or to the other premises described in subsection (4).

(6) Despite subsection (4), records in electronic form need not be retained at the premises described in that subsection if those records can be retrieved from those premises in an understandable electronic and paper form promptly upon request.

(7) A brokerage shall ensure that it maintains the capacity to retrieve its electronic records throughout the period during which this section requires the records to be retained.

## MANAGING DEEMED TRUST FUNDS

**Deemed trust funds**

49. (1) Subject to subsection (2), money received by a brokerage directly or indirectly from a borrower, lender or investor in connection with carrying on the business of dealing or trading in mortgages is deemed, for the purposes of this Regulation, to be held in trust by the brokerage.

(2) Money received by a brokerage for any of the following purposes is not deemed to be held in trust by the brokerage:

1. Money earned by the brokerage for its services.
2. Money received to reimburse the brokerage for its expenses.
3. Money payable to the brokerage as a mortgage lender.

**Authorized trust account**

50. (1) A brokerage that receives or holds deemed trust funds shall maintain a trust account designated as its mortgage brokerage trust account at one of the following types of financial institutions in Ontario:

1. A bank or authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada).
2. A credit union or caisse populaire to which the *Credit Unions and Caisses Populaires Act, 1994* applies.
3. A corporation registered under the *Loan and Trust Corporations Act*.
4. A retail association as defined under the *Cooperative Credit Associations Act* (Canada).

(2) A brokerage shall not establish or maintain more than one mortgage brokerage trust account unless it has the prior written consent of the Superintendent to do so.

**Administration of trust account**

51. (1) A brokerage shall deposit deemed trust funds that it receives into its authorized trust account within two business days after receiving the funds.

(2) A brokerage shall keep deemed trust funds separate from money that does not constitute deemed trust funds.

(3) Unless otherwise agreed to in writing by the beneficial owner of deemed trust funds, any interest earned on the deemed trust funds shall be paid to the beneficial owner.

(4) A brokerage shall not disburse any deemed trust funds except in accordance with the terms upon which the funds were received by the brokerage.

**Record of trust account transactions**

52. A brokerage shall make a written record of all deemed trust funds that it receives and all transactions relating to the funds, and the record must include the following information:

1. The contents of the written statement required by section 39 that is given to the person or entity from whom money is received.
2. With respect to every deposit made to the authorized trust account, the amount of the deposit, the date on which it was made, the name of the person or entity from whom the deposited money was received and the purpose for the deposit, including particulars of the mortgage, if any, to which the deposit relates.
3. With respect to every disbursement made from the authorized trust account, the amount of the disbursement, the date on which it was made, the name of the person or entity to whom the money was disbursed and the purpose for the disbursement, including particulars of the mortgage, if any, to which the disbursement relates.
4. With respect to every payment of interest on money in the authorized trust account, a way of identifying the deposit of deemed trust funds to which the interest relates, the amount of the interest associated with the deposit and the date, if any, on which the interest was paid to the person or entity from whom the deposit was received.

**Monthly reconciliation statement for trust account**

53. (1) Every month, a brokerage shall prepare a reconciliation statement for the authorized trust account and the principal broker shall review the statement and sign and date it to indicate that he or she certifies that it is accurate.

(2) The reconciliation statement for a month must be prepared, reviewed and signed by the following deadline:

1. If the brokerage receives a monthly account statement from the financial institution where the account is maintained, 30 days after the brokerage receives the monthly account statement.
2. In any other case, 30 days after the end of the month.



(3) The reconciliation statement for a month must set out the following information:

1. The differences, if any, between the records of the brokerage and the records of the applicable financial institution as of the following date:
  - i. if the brokerage receives a monthly account statement from the financial institution, the date of the monthly account statement, and
  - ii. in any other case, the last day of the month.
2. The balance in the account that is owing to each person or entity as of the applicable date described in subparagraph 1 i or ii.

**Duty to report shortfall in trust account**

54. If a brokerage determines that there is a shortfall in the authorized trust account, the brokerage shall immediately notify the Superintendent.

**Annual reconciliation statement for trust account**

55. (1) If, for any month during its fiscal year, a brokerage is required to prepare a reconciliation statement for the authorized trust account, the brokerage shall prepare an annual reconciliation statement for the account for the fiscal year within 90 days after the end of the year.

(2) The annual reconciliation statement must summarize the contents of each of the required monthly reconciliation statements for the account for the fiscal year.

**OTHER MATTERS**

**Duty re concurrent businesses**

56. A brokerage that engages in another business concurrently with carrying on the business of dealing or trading in mortgages or carrying on business as a mortgage lender shall not allow the other business to jeopardize its integrity, independence or competence when carrying on the business of dealing or trading in mortgages or carrying on business as a mortgage lender.

**Use of certain information**

57. A brokerage shall not use information obtained in the course of carrying on business for any purpose other than that for which the information was obtained unless the brokerage has the written consent of the person or entity who is the subject of the information.

**Required addresses**

58. (1) A brokerage shall maintain a mailing address in Ontario that is suitable to permit service by registered mail.
- (2) A brokerage shall maintain an e-mail address.

**Use of forms**

59. If a form is approved by the Superintendent for a purpose under the Act, a brokerage shall ensure that the brokerage and its brokers and agents use the current approved version of the form.

**COMMENCEMENT**

**Commencement**

60. (1) Subject to subsection (2), this Regulation comes into force on July 1, 2008.
- (2) Sections 6, 10, 11, 18, 19, 21 to 25 and 27, subsection 37 (1) and sections 40 and 41 come into force on January 1, 2009.

25/08

**ONTARIO REGULATION 189/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

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## INTERPRETATION

**Definitions**

1. In this Regulation,

“authorized name” means, in relation to a mortgage administrator, any name in which it is licensed;

“authorized trust account” means, in relation to a mortgage administrator, its mortgage administrator’s trust account established in accordance with section 34;

“business day” means a day that is not a Saturday or holiday within the meaning of section 87 of the *Legislation Act, 2006*;

“deemed trust funds” means, in relation to a mortgage administrator, money that is deemed by section 33 to be held in trust by the mortgage administrator;

“investor” means a person or entity who makes an investment in a mortgage through the purchase or exchange of a loan or an interest in a loan on the security of real estate;

“public relations materials” means, in relation to a mortgage administrator,

- (a) any advertisement by the mortgage administrator in connection with its business as a mortgage administrator that is published, circulated or broadcast by any means, or
- (b) any material that a mortgage administrator makes available to the public in connection with its business as a mortgage administrator.

**Duties re syndicated mortgages**

2. If there is more than one lender under a mortgage or if there is more than one investor who makes an investment in a mortgage, a mortgage administrator owes to each of the lenders or investors the duties imposed by this Regulation in respect of the mortgage.

## STANDARDS OF PRACTICE

**Standards of practice**

3. The requirements set out in this Regulation are prescribed as standards of practice for every mortgage administrator’s licence that is issued under the Act.

## PUBLIC RELATIONS

**Use of authorized name**

4. A mortgage administrator shall not carry on business in a name other than its authorized name.

**Use of name, etc., in public relations materials**

5. (1) A mortgage administrator shall disclose its authorized name and its licence number in all of its public relations materials and the name and number must be clearly and prominently disclosed.

(2) If the authorized name of a mortgage administrator is, or includes, a franchise name that the mortgage administrator is permitted to use under a franchise agreement, the public relations materials must clearly indicate that the mortgage administrator is independently owned and operated.

**Prohibition re public relations materials**

6. A mortgage administrator shall not include false, misleading or deceptive information in its public relations materials.

**Duty to provide licence information**

7. Upon request, a mortgage administrator shall give a person its licence number.



**Complaints by the public**

8. (1) If a person makes a complaint to a mortgage administrator in writing about its mortgage administration activities, the mortgage administrator shall give the person a written response to the complaint setting out the mortgage administrator's proposed resolution of the complaint.

(2) The written response must also tell the person who made the complaint that, if the person is not satisfied with the proposed resolution and if the person believes that the complaint relates to a contravention of the Act or a regulation, the person may refer the complaint to the Superintendent.

**CUSTOMER RELATIONS****Duty to verify customer's identity**

9. (1) A mortgage administrator shall take reasonable steps to verify the identity of each lender or investor under a mortgage before entering into an agreement with the lender or investor to administer the mortgage.

(2) Subsection (1) does not apply if a mortgage brokerage was required by law to verify the lender's or investor's identity in connection with the mortgage.

**Duty re unlawful transactions**

10. A mortgage administrator shall not administer a mortgage for a lender or investor if the mortgage administrator has reasonable grounds to believe that the mortgage, its renewal or the investment in it is unlawful.

**Restriction re tied selling**

11. (1) A mortgage administrator shall not coerce a lender or investor to obtain a product or service from a particular person or entity, including the mortgage administrator, as a condition for obtaining another service from the mortgage administrator.

(2) For the purposes of subsection (1), a mortgage administrator does not coerce a lender or investor, as the case may be, by virtue of offering a service to the lender or investor on more favourable terms than it would otherwise offer, if the more favourable terms are offered on the condition that the lender or investor obtains another product or service from a particular person or entity, including the mortgage administrator.

**Restriction re guarantees**

12. A mortgage administrator shall not, directly or indirectly, offer or make any guarantee to a lender in respect of a mortgage or to an investor in respect of an investment in a mortgage.

**Duty to return certain documents**

13. (1) A mortgage administrator shall not unreasonably withhold any deed, instruments or other documents from their owner.

(2) A mortgage administrator shall promptly, without charge, return deeds, instruments or other documents to their owner when requested in writing to do so by the Superintendent, the owner or the owner's agent.

**INFORMATION ABOUT FEES AND OTHER PAYMENTS****Representations re status of payments**

14. (1) A mortgage administrator shall not, directly or indirectly, represent to any person or entity that any amounts payable to the mortgage administrator in connection with administering mortgages are set or approved by any government authority.

(2) Subsection (1) does not apply with respect to disbursements that may be made by a mortgage administrator for fees payable to register or deposit instruments under the *Land Titles Act* or the *Registry Act*.

**Fees, etc., payable by others**

15. (1) A mortgage administrator shall give the following information, in writing, to a lender or investor in connection with the administration of a mortgage:

1. Whether the mortgage administrator has received, may receive or will receive a fee or other remuneration, directly or indirectly, from another person or entity in connection with the administration of the mortgage.
2. If a fee or other remuneration is or may be payable, the identity of the other person or entity, the basis for calculating the amount of the fee or other remuneration and, in case of a benefit other than money, the nature of the benefit.

(2) The mortgage administrator shall obtain the written acknowledgement of the lender or investor that the mortgage administrator made the disclosure required by this section.

**Fees, etc., payable by the mortgage administrator to others**

**16. (1)** A mortgage administrator shall give the following information, in writing, to a lender or investor in connection with the administration of a mortgage:

1. Whether the mortgage administrator has paid, may pay or will pay a fee or other remuneration, directly or indirectly, to another person or entity in connection with the administration of the mortgage.
2. If a fee or other remuneration is or may be payable, the identity of the other person or entity, the basis for calculating the amount of the fee or other remuneration and, in case of a benefit other than money, the nature of the benefit.

(2) The mortgage administrator shall obtain the written acknowledgement of the lender or investor that the mortgage administrator made the disclosure required by this section.

**Fees, etc., receivable by mortgage administrator for referral**

**17.** If a mortgage administrator refers a lender or investor or a prospective lender or investor to another person or entity for a fee or other remuneration, the mortgage administrator shall give the following information, in writing, to the lender or investor or prospective lender or investor either before or when making the referral:

1. A description of the nature of the relationship between the mortgage administrator and the other person or entity.
2. A statement concerning whether the mortgage administrator has received, may receive or will receive a fee or other remuneration, directly or indirectly, for making the referral.

**DUTIES IN PARTICULAR TRANSACTIONS****Duty re administration agreement**

**18. (1)** A mortgage administrator shall not administer a mortgage for a lender or investor unless the mortgage administrator and each lender or investor have entered into an agreement in writing governing the administration of the mortgage.

(2) The administration agreement must include the following information:

1. The name in which the mortgage is or will be registered under the *Land Titles Act* or the *Registry Act* or registered under the laws of another jurisdiction, as the case may be.
2. If the mortgage is held in trust, the details of the trust.
3. Particulars of the circumstances in which a lender or investor is permitted to dispose of all or part of the lender's or investor's interest in the mortgage.
4. The disposition to be made of all payments made under the mortgage by the borrower, including penalties and bonuses.
5. The rights and duties of each lender or investor under the agreement if the borrower defaults under the mortgage, and the costs for which each lender or investor will be responsible.
6. The procedures to be followed under the agreement in the event of a foreclosure or in the exercise of a power of sale under the mortgage, and the rights and duties of each lender or investor in either case.
7. The amount of the fees payable by each lender or investor for the administration of the mortgage, including how the fees are to be calculated, and the method of payment.

(3) The administration agreement must include provisions imposing the following duties and, if it does not, the agreement is deemed to include them:

1. The duty of the mortgage administrator to promptly notify each lender or investor if the mortgage administrator becomes aware of a subsequent encumbrance on the mortgaged property or any other significant change in circumstances affecting the mortgage.
2. The duty of the mortgage administrator to promptly notify each lender or investor if the borrower defaults under the mortgage.

**Disclosure of mortgage administrator's relationships**

**19. (1)** A mortgage administrator shall disclose in writing to each lender or investor in a mortgage the nature of the relationship, if any, between the mortgage administrator and each borrower under the mortgage.

(2) Subsection (1) does not apply if the lender or investor is a brokerage, a financial institution or another mortgage administrator.

(3) The mortgage administrator shall obtain the written acknowledgement of each lender or investor that the mortgage administrator made the disclosure required by this section.



**Disclosure of potential conflicts of interest**

20. (1) A mortgage administrator shall disclose in writing to each lender or investor in a mortgage any conflict of interest that the mortgage administrator or an employee engaged in administering the mortgage may have in connection with the mortgage.

(2) Subsection (1) does not apply if the lender or investor is a brokerage, a financial institution or another mortgage administrator.

(3) The mortgage administrator shall obtain the written acknowledgement of each lender or investor that the mortgage administrator made the disclosure required by this section.

**Clarity of disclosure, etc.**

21. A written disclosure, consent or acknowledgement required by this Regulation must be expressed in plain language that is clear and concise and it must be presented in a manner that is logical and is likely to bring to the attention of the lender or investor, as the case may be, the information that is required to be conveyed.

**Deadline for disclosures**

22. (1) Unless the context requires otherwise, every disclosure of information to a lender or investor that is required by this Regulation must be made at the earliest opportunity and, in any case, no later than two business days before the mortgage administrator and the lender or investor enter into a mortgage administration agreement for the applicable mortgage.

(2) If the lender or investor consents in writing to receiving the disclosure after the deadline described in subsection (1), the disclosure may instead be made no later than one business day before the mortgage administrator and the lender or investor enter into the mortgage administration agreement.

**MORTGAGE ADMINISTRATION****Payments to lender, investor**

23. (1) A mortgage administrator shall not make a payment to a lender or investor in connection with the administration of a mortgage unless the payment is made from the funds paid under the mortgage by a borrower.

(2) If a borrower pays an amount by cheque, other than a certified cheque, to the mortgage administrator, the mortgage administrator shall not make a payment from the amount to a lender or investor until after the cheque has cleared and the mortgage administrator has received the funds.

**Payment on redemption of mortgage**

24. If a mortgage administrator receives proceeds from the redemption or partial redemption of a mortgage, the mortgage administrator shall promptly pay the full amount owing to the lender or investor.

**MANAGING THE MORTGAGE ADMINISTRATOR****Duty to establish policies and procedures**

25. (1) A mortgage administrator shall establish and implement policies and procedures that are reasonably designed to ensure that the mortgage administrator and every person acting on its behalf in the business of mortgage administration complies with the requirements established under the Act.

(2) A mortgage administrator shall establish and implement policies and procedures providing for the adequate supervision of every person acting on its behalf in the business of mortgage administration.

(3) Without limiting the generality of subsections (1) and (2), the mortgage administrator shall establish and implement policies and procedures in respect of the following matters:

1. The verification of the identity of lenders and investors in the circumstances required by this Regulation.
2. The identification of potential conflicts of interest that the mortgage administrator or any employee engaged in administering a particular mortgage may have in connection with the mortgage, and their disclosure to the lender or investor, as the case may be, as required by this Regulation.

**Duty to establish complaints process**

26. (1) A mortgage administrator shall establish a process for resolving complaints from the public about its mortgage administration activities.

(2) The mortgage administrator shall designate one or more individuals to receive and attempt to resolve complaints from the public, and each designated individual must be an employee of the mortgage administrator or someone who is otherwise authorized to act on its behalf.

(3) The mortgage administrator shall keep a record of all written complaints received from the public and all written responses by the mortgage administrator.



**Duty to have insurance**

27. (1) A mortgage administrator shall maintain errors and omissions insurance in a form approved by the Superintendent with extended coverage for loss resulting from fraudulent acts or shall have some other form of assurance in a form approved by the Superintendent.

(2) The insurance or other assurance must be sufficient to pay a minimum of \$500,000 in respect of any one occurrence involving the mortgage administrator and \$1 million in respect of all occurrences during a 365-day period involving the mortgage administrator.

**Duty to have financial guarantee**

28. (1) A mortgage administrator shall maintain a financial guarantee in an amount equal to \$25,000.

(2) The financial guarantee may be unimpaired working capital or it may be another form of financial guarantee acceptable to the Superintendent.

**Required records**

29. (1) A mortgage administrator shall maintain the following records:

1. Complete and accurate financial records of its licensed activities in Ontario.
2. Complete and accurate records of all documents or written information given to or obtained from a lender or prospective lender, an investor or prospective investor or any other person or entity pursuant to a requirement established under the Act.
3. Complete and accurate records of every agreement entered into by the mortgage administrator in the course of administering mortgages.

(2) The financial records maintained by a mortgage administrator must distinguish between the deemed trust funds held by it, mortgages held in trust by it for a lender or investor and any other assets pertaining to other activities.

**Security of records**

30. A mortgage administrator shall take adequate precautions, appropriate to the form of its records, to guard against the falsification of the records.

**Records retention**

31. (1) A mortgage administrator shall retain all records that relate to an agreement to administer a mortgage for at least six years after the expiry of the agreement.

(2) A mortgage administrator shall retain for at least six years all other records that it is required to create pursuant to a requirement established under the Act.

(3) A mortgage administrator shall retain the records described in subsections (1) and (2) at its principal place of business in Ontario, if any, or, if the mortgage administrator has notified the Superintendent that it keeps records at other specified premises in Ontario, at those premises.

(4) If the records described in subsection (1) or (2) originate at another place of business, the mortgage administrator shall forward them at the earliest opportunity to its principal place of business in Ontario, if any, or to the other premises described in subsection (3).

(5) Despite subsection (3), records in electronic form need not be retained at the premises described in that subsection if those records can be retrieved from that location in an understandable electronic and paper form promptly upon request.

(6) A mortgage administrator shall ensure that it maintains the capacity to retrieve its electronic records throughout the period during which this section requires the records to be retained.

**Monthly reconciliation, certain financial matters**

32. (1) Every month, a mortgage administrator shall prepare a record that reconciles the total of outstanding principal balances due from borrowers on mortgages under administration and the total of principal balances held by the mortgage administrator on behalf of lenders and investors under those mortgages, as the balances appear in the books and records of the mortgage administrator.

(2) The record for a month must set out the difference, if any, between the balances as of the last day of the month and must describe the reasons for the difference.

**MANAGING DEEMED TRUST FUNDS****Deemed trust funds**

33. (1) Money received by a mortgage administrator directly or indirectly from a borrower under an agreement to administer a mortgage on behalf of a lender or investor is deemed, for the purposes of this Regulation, to be held in trust by the mortgage administrator.

(2) Subject to subsection (3), money received by a mortgage administrator directly or indirectly from a lender or investor in connection with carrying on the business of administering mortgages is deemed, for the purposes of this Regulation, to be held in trust by the mortgage administrator.

(3) Money received by a mortgage administrator for any of the following purposes is not deemed to be held in trust by the mortgage administrator:

1. Money earned by the mortgage administrator for its services.
2. Money received to reimburse the mortgage administrator for its expenses.

#### Authorized trust account

34. (1) A mortgage administrator shall maintain a trust account designated as its mortgage administrator's trust account at one of the following types of financial institutions in Ontario:

1. A bank or authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada).
2. A credit union or caisse populaire to which the *Credit Unions and Caisses Populaires Act, 1994* applies.
3. A corporation registered under the *Loan and Trust Corporations Act*.
4. A retail association as defined under the *Cooperative Credit Associations Act* (Canada).

(2) A mortgage administrator shall not establish or maintain more than one mortgage administrator's trust account unless it has the prior written consent of the Superintendent to do so.

#### Administration of trust account

35. (1) A mortgage administrator shall deposit deemed trust funds that it receives into its authorized trust account within two business days after receiving the funds.

(2) A mortgage administrator shall keep deemed trust funds separate from money that does not constitute deemed trust funds.

(3) Unless otherwise agreed to in writing by the beneficial owner of deemed trust funds, any interest earned on the deemed trust funds shall be paid to the beneficial owner.

(4) A mortgage administrator shall not disburse any deemed trust funds except in accordance with the terms upon which the funds were received by the mortgage administrator.

#### Record of trust account transactions

36. A mortgage administrator shall make a written record of all deemed trust funds that it receives and all transactions relating to the funds, and the record must include the following information:

1. With respect to every deposit made to the authorized trust account, the amount of the deposit, the date on which it was made, the name of the person or entity from whom the deposited money was received and the purpose for the deposit, including particulars of the mortgage to which the deposit relates.
2. With respect to every disbursement made from the authorized trust account, the amount of the disbursement, the date on which it was made, the name of the person or entity to whom the money was disbursed and the purpose for the disbursement, including particulars of the mortgage to which the disbursement relates.
3. With respect to every payment of interest on money in the authorized trust account, a way of identifying the deposit of deemed trust funds to which the interest relates, the amount of the interest associated with the deposit and the date, if any, on which the interest was paid to the person or entity entitled to it.

#### Monthly reconciliation statement for trust account

37. (1) Every month, a mortgage administrator shall prepare a reconciliation statement for the authorized trust account and an officer of the mortgage administrator shall review the statement and sign and date it to indicate that he or she certifies that it is accurate.

(2) The reconciliation statement for a month must be prepared, reviewed and signed by the following deadline:

1. If the mortgage administrator receives a monthly account statement from the financial institution where the account is maintained, 30 days after the mortgage administrator receives the monthly account statement.
2. In any other case, 30 days after the end of the month.

(3) The reconciliation statement for a month must set out the following information:

1. The differences, if any, between the records of the mortgage administrator and the records of the applicable financial institution as of the following date:
  - i. if the mortgage administrator receives a monthly account statement from the financial institution, the date of the monthly account statement, and

- ii. in any other case, the last day of the month.
2. The balance in the account that is owing to each person or entity as of the applicable date described in subparagraph 1 i or ii.

**Duty to report shortfall in trust account**

38. If a mortgage administrator determines that there is a shortfall in the authorized trust account, the mortgage administrator shall immediately notify the Superintendent.

**Annual reconciliation statement for trust account**

39. (1) A mortgage administrator shall prepare an annual reconciliation statement for the authorized trust account for a fiscal year within 90 days after the end of the year.

(2) The annual reconciliation statement must summarize the contents of each of the required monthly reconciliation statements for the account for the fiscal year.

**OTHER MATTERS****Duty re concurrent businesses**

40. A mortgage administrator that engages in another business concurrently with carrying on the business of administering mortgages shall not allow the other business to jeopardize its integrity, independence or competence when carrying on the business of administering mortgages.

**Use of certain information**

41. A mortgage administrator shall not use information obtained in the course of carrying on business for any purpose other than that for which the information was obtained unless the mortgage administrator has the written consent of the person or entity who is the subject of the information.

**Required addresses**

42. (1) A mortgage administrator shall maintain a mailing address in Ontario that is suitable to permit service by registered mail.

(2) A mortgage administrator shall maintain an e-mail address.

**Use of forms**

43. If a form is approved by the Superintendent for a purpose under the Act, a mortgage administrator shall use the current approved version of the form.

**COMMENCEMENT****Commencement**

44. (1) Subject to subsection (2), this Regulation comes into force on July 1, 2008.

(2) Sections 5, 9, 15 to 17, 19, 20, 25 and 26 come into force on January 1, 2009.

25/08

**ONTARIO REGULATION 190/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

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**GENERAL****PUBLIC REGISTER OF LICENSEES****Public register of brokerages, mortgage administrators**

1. (1) The public register of brokerages and mortgage administrators that is to be maintained under subsection 28 (1) of the Act must contain the following information about each brokerage and mortgage administrator:



1. Each name in which it is licensed and its licence number.
2. The type of licence that it holds and whether the licence is in good standing or is suspended.
3. Its mailing address in Ontario as it appears in the records maintained by the Superintendent.
4. Its telephone number as it appears in the records maintained by the Superintendent.
5. Any conditions that apply to the licence.
6. For a brokerage, the name of its principal broker.

(2) For two years after a brokerage or mortgage administrator ceases to be licensed, the register must contain the following information about the former brokerage or mortgage administrator:

1. Each name in which it was licensed and its former licence number.
2. The type of licence that it held.
3. The date on which it ceased to be licensed.
4. Whether the licence was surrendered or revoked.

#### **Public register of brokers and agents**

2. (1) The public register of mortgage brokers and agents that is to be maintained under subsection 28 (1) of the Act must contain the following information about each broker and agent:

1. The name in which he or she is licensed and the licence number.
2. The type of licence that he or she holds, its expiry date and whether the licence is in good standing or is suspended.
3. The name of the brokerage on whose behalf he or she is authorized to deal or trade in mortgages.
4. Any conditions that apply to the licence, other than conditions relating to educational requirements.

(2) If a broker or agent ceases to be licensed, the register must contain the following information about the former broker or agent until the date described in subsection (3):

1. The name in which he or she was licensed and his or her former licence number.
2. The type of licence that he or she held.
3. The name of the brokerage on whose behalf he or she was authorized to deal or trade in mortgages immediately before ceasing to be licensed.
4. The date on which he or she ceased to be licensed.
5. Whether the licence expired, renewal of the licence was refused, the licence was surrendered or the licence was revoked.

(3) The information required by subsection (2) must be kept on the register until two years after the expiry date of the individual's licence or, if the licence was surrendered or revoked before the expiry date, until two years after the date on which the licence would have expired if it had not been surrendered or revoked.

#### **EXPIRY OF INTERIM ORDERS**

##### **Interim order to suspend a licence**

3. If an interim order suspending a licence is made under subsection 18 (3) of the Act, the prescribed period after which the interim order expires in the circumstances described in subsection 18 (5) of the Act is 21 days after the date on which the order is made.

##### **Interim compliance order**

4. If an interim order is made under subsection 35 (7) of the Act, the prescribed period after which the interim order expires in the circumstances described in subsection 35 (9) of the Act is 21 days after the date on which the order is made.

#### **DELIVERY OF ORDERS, INTERIM ORDERS AND NOTICES**

##### **Application**

5. Sections 6 and 7 apply with respect to the delivery of orders and interim orders made under the Act and notices that the Superintendent is required under the Act to give to a person or entity.

##### **Deemed delivery to licensee, applicant**

6. (1) An order, interim order or notice is deemed to have been delivered to a licensee or applicant by the Superintendent if it is delivered in either of the following ways:

1. By registered mail addressed to the mailing address in Ontario of the licensee or applicant as it appears in the records maintained by the Superintendent.
2. By fax sent to the fax number, if any, of the licensee or applicant as it appears in the records maintained by the Superintendent.
- (2) Delivery of an order, interim order or notice by the Superintendent is effective on the day indicated:
  1. If sent by registered mail, on the earlier of the fifth day after mailing or the day after its receipt was acknowledged by the addressee or an individual accepting it on behalf of the addressee.
  2. If sent by fax, on the same day it is sent.
- (3) An order, interim order or notice that is delivered after 5 p.m. is deemed to have been delivered on the following day.

**Deemed delivery to others**

7. An order, interim order or notice is deemed to have been delivered to a person or entity other than a licensee or applicant by the Superintendent if it is reasonable in all the circumstances to conclude that it came to the attention of the person or entity or that it would have but for the person's or entity's attempt to evade delivery.

**COMMENCEMENT****Commencement**

8. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.
- (2) Sections 1 and 2 come into force on July 1, 2008.

25/08

**ONTARIO REGULATION 191/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

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Printed in *The Ontario Gazette*: June 21, 2008**COST OF BORROWING AND DISCLOSURE TO BORROWERS****CONTENTS****APPLICATION AND INTERPRETATION**

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## APPLICATION AND INTERPRETATION

## Application

1. (1) This Regulation applies to every mortgage other than a mortgage entered into with a borrower who is not a natural person, or a mortgage that a borrower enters into for business purposes.

(2) Sections 3 to 16 do not apply to a mortgage brokerage if the brokerage gives a disclosure statement to a borrower on behalf of a person described in Column 1 of the following Table who is acting as a mortgage lender and if the disclosure statement meets the disclosure requirements under the corresponding legislation set out in Column 2.

TABLE

Column 1	Column 2
A bank	<i>Bank Act (Canada)</i>
A retail association as defined under the <i>Cooperative Credit Associations Act (Canada)</i>	<i>Cooperative Credit Associations Act (Canada)</i>
A credit union	<i>Credit Unions and Caisses Populaires Act, 1994</i>
An insurance company	<i>Insurance Act</i>
An insurance company	<i>Insurance Companies Act (Canada)</i>
A trust corporation	<i>Trust and Loan Companies Act (Canada)</i>
A loan corporation	<i>Trust and Loan Companies Act (Canada)</i>
Another mortgage brokerage	<i>Mortgage Brokerages, Lenders and Administrators Act, 2006</i>

(3) Despite subsection (2), sections 3 to 16 continue to apply to a mortgage brokerage if the brokerage requires the borrower to pay for any of its services or for any of its disbursements, transactions or other activities in relation to the mortgage.

## Definitions

2. In this Regulation,

“APR” means the cost of borrowing expressed as an annual rate on the principal referred to in subsection 3 (1);

“disbursement charge” means a charge, other than one referred to in subsection 5 (1), to recover an expense incurred by the lender to arrange, document, insure or secure a mortgage and includes charges referred to in clauses 5 (2) (c) and (f) to (h);

“high-ratio mortgage” means a mortgage under which the amount advanced, together with the amount outstanding under any other mortgage that ranks equally with, or prior to, the mortgage loan exceeds 80 per cent of the market value of the property securing the loan;

“principal” means the amount borrowed under a mortgage but does not include any cost of borrowing;

“public index” means an interest rate, or a variable base rate for an interest rate, that is published at least weekly in a newspaper or magazine of general circulation, or in some media of general circulation or distribution, in areas where borrowers whose mortgages are governed by that interest rate reside.

## COST OF BORROWING

## Calculation of the APR

3. (1) For the purpose of subsection 23 (2) of the Act, the cost of borrowing for a mortgage is the annual rate on the principal as calculated using the formula,

$$\text{APR} = \frac{C}{T \times P} \times 100$$



in which,

“APR” is the annual percentage rate cost of borrowing,

“C” is the cost of borrowing within the meaning of section 5 over the term of the mortgage,

“P” is the average of the principal of the mortgage outstanding at the end of each period for the calculation of interest under the mortgage, before subtracting any payment that is due at that time, and

“T” is the term of the mortgage in years, expressed to at least two decimal points of significance.

(2) For the purpose of subsection (1),

- (a) the APR may be rounded off to the nearest eighth of a per cent;
  - (b) each instalment payment made on the mortgage must be applied first to the accumulated cost of borrowing and then to the outstanding principal;
  - (c) a period of,
    - (i) one month is  $1/12$  of a year,
    - (ii) one week is  $1/52$  of a year, and
    - (iii) one day is  $1/365$  of a year;
  - (d) if the annual interest rate underlying the calculation is variable over the period of the mortgage, it must be set as the annual interest rate that applies on the day that the calculation is made;
  - (e) if there are no instalment payments under the mortgage, then the APR must be calculated on the basis that the outstanding principal is to be repaid in one lump sum at the end of the term of the mortgage; and
  - (f) a mortgage for an amount that comprises, in whole or in part, an outstanding balance from a prior mortgage is a new mortgage for the purpose of the calculation.
- (3) The cost of borrowing for a line of credit or credit card that is secured under a mortgage is,
- (a) if the mortgage has a fixed annual interest rate, that annual interest rate; or
  - (b) if the mortgage has a variable annual interest rate, the annual interest rate that applies on the date of the disclosure.

#### Annual interest rate as APR

4. (1) The APR for a mortgage is the annual interest rate if there is no cost of borrowing other than interest.

(2) If an interest rate is disclosed in accordance with section 6 of the *Interest Act* (Canada), the APR must be calculated in a manner that is consistent with that section.

#### Included and excluded charges

5. (1) Subject to subsection (2), the cost of borrowing for a mortgage, other than one that secures a line of credit, consists of all the costs of borrowing under the mortgage over its term and including the following charges:

- 1. Administrative charges, including charges for services, transactions or any other activity in relation to the mortgage.
  - 2. Charges for the services, or disbursements, of a lawyer or notary hired by the lender and payable by the borrower.
  - 3. Insurance charges other than those excluded under clauses (2) (a), (f) and (h).
  - 4. Brokerage charges paid by the lender to another brokerage in connection with the mortgage, if the borrower is required to reimburse the lender for the charges.
  - 5. Charges for appraisal, inspection or surveying services provided directly to the borrower in relation to property that is security for the mortgage, if those services are required by the lender.
- (2) The cost of borrowing for a mortgage does not include,
- (a) charges for insurance on the mortgage,
    - (i) if the insurance is optional, or
    - (ii) if the borrower is its beneficiary and the amount insured reflects the value of an asset that is security under the mortgage;
  - (b) charges for an overdraft;
  - (c) charges paid to register documents or obtain information from a public registry about security interests related to property given as security;
  - (d) penalty charges for the prepayment of the mortgage;

- (e) charges for the services, or disbursements, of a lawyer or notary, other than those mentioned in paragraph 2 of subsection (1);
- (f) charges for insurance against defects in title to real property, if the borrower selects the insurer, if the insurance is paid for directly by the borrower and if the borrower is the beneficiary of the insurance;
- (g) charges for appraisal, inspection or surveying services provided directly to the borrower in relation to property that is security for the mortgage, if the borrower receives a report from the person providing the service and is entitled to give the report to third parties;
- (h) charges for insurance against default on a high-ratio mortgage;
- (i) charges to maintain a tax account that are required for a high-ratio mortgage or that are optional;
- (j) any charges to discharge a security interest; or
- (k) default charges.

#### DISCLOSURE TO BORROWERS

##### **Manner of making disclosures**

6. (1) A mortgage brokerage must give the borrower a written disclosure statement that provides the information required by this Regulation.

(2) A disclosure statement may be a separate document or it may be part of another document.

(3) Information disclosed in a disclosure statement may be based on an assumption or estimate if the assumption or estimate is reasonable and if the information,

- (a) cannot be known by the brokerage or the lender when the brokerage makes the statement; and
- (b) is identified to the borrower as an assumption or estimate.

(4) A disclosure statement, or a consent in relation to a disclosure statement, must be written in plain language that is clear and concise and it must be presented in a manner that is logical and likely to bring to the borrower's attention the information that is required to be disclosed.

(5) If the borrower consents in writing, the disclosure statement may be provided by electronic means in an electronic form that the borrower can retrieve and retain.

##### **Timing of initial disclosure**

7. (1) A mortgage brokerage that proposes to enter into or arrange a mortgage with a borrower must give the initial disclosure statement required by this Regulation to the borrower at least two business days before the earliest of,

- (a) the day on which the borrower makes any payment, other than a disbursement charge, in relation to the mortgage;
- (b) the day on which the borrower enters into the mortgage agreement; and
- (c) the day on which the borrower incurs any obligation in relation to the mortgage.

(2) Subsection (1) does not apply if the borrower consents in writing before the earliest of the dates described in clauses (1) (a), (b) and (c).

##### **Disclosure — fixed interest mortgage for a fixed amount**

8. (1) A mortgage brokerage that enters into or arranges a mortgage for a fixed interest rate for a fixed amount, to be repaid on a fixed future date or by instalment payments, must give the borrower an initial disclosure statement that includes the following information:

1. The principal amount of the mortgage.
2. The amount of each advance of the principal and when each advance is to be made.
3. The total amount of all payments.
4. The cost of borrowing over the term of the mortgage, expressed in dollars and cents.
5. The term of the mortgage, and the period of amortization if it is different from the term.
6. The annual interest rate and the circumstances, if any, under which it is compounded.
7. The APR, if it differs from the annual interest rate.
8. The date on and after which interest is charged and information concerning any period during which interest does not accrue.
9. The amount of each payment and when it is due.



10. The fact that each payment made on the mortgage must be applied first to the accumulated cost of borrowing and then to the outstanding principal.
11. An amortization schedule for the term of the mortgage showing the principal amount, the due date and amount of each periodic payment, the portion of each periodic payment that is charged as interest or is applied on principal, the outstanding balance of the mortgage after each periodic payment and the principal amount at maturity.
12. Information about any optional service in relation to the mortgage that the borrower accepts, the charges for each optional service and the conditions under which the borrower may cancel the service, if that information is not disclosed in a separate statement before the optional service is provided.
13. The information required by paragraphs 1 to 4 of section 24 of the Act, including a description of any components of a formula used to calculate a rebate, charge or penalty to be imposed on the borrower if the borrower exercises a right to repay the amount borrowed before the maturity of the mortgage.
14. If section 16 of this Regulation applies with respect to the mortgage, the formula set out in subsection 16 (3).
15. The particulars of the charges or penalties referred to in paragraph 5 of section 24 of the Act, including default charges that may be imposed under section 17 of this Regulation.
16. The property in which the lender takes a security interest under the mortgage.
17. Any charge for a brokerage, if the brokerage charges are included in the amount borrowed and are paid directly by the lender to the brokerage.
18. The fact that there is a charge to discharge a security interest and the amount of the charge on the day that the statement was provided.
19. The nature and amount of any charge other than an interest charge.

(2) If the outstanding balance of the mortgage is increased because the borrower has missed a scheduled instalment payment or because a default charge is levied on the borrower for missing a scheduled instalment payment, such that the amount of each of the subsequently scheduled instalment payments does not cover the interest accrued during the period for which a payment is scheduled, and if the brokerage is a lender under the mortgage, the brokerage must give the borrower a subsequent disclosure statement not more than 30 days after the missed payment or the imposition of the default charge that describes the situation and its consequences.

**Disclosure — variable interest mortgage for a fixed amount**

9. (1) A mortgage brokerage that enters into or arranges a mortgage with a variable interest rate for a fixed amount, to be repaid on a fixed future date or by instalment payments, must give the borrower an initial disclosure statement that includes the following information:

1. The information described in subsection 8 (1).
2. The annual rate of interest that applies on the date of the disclosure statement.
3. The method for determining the annual interest rate that applies after the date of the disclosure statement and when that determination is made.
4. The amount of each payment based on the annual interest rate that applies on the date of the disclosure statement and the dates when those payments are due.
5. The total amount of all payments and of the cost of borrowing based on the annual interest rate that applies on the date of the disclosure statement.
6. If the loan is to be paid by instalment payments and the amount to be paid is not adjusted automatically to reflect changes in the annual interest rate that apply to each instalment payment,
  - i. the annual interest rate above which the amount of a scheduled instalment payment on the initial principal does not cover the interest due on the instalment payment, and
  - ii. the fact that negative amortization is possible.
7. If the loan does not have regularly-scheduled payments,
  - i. the conditions that must occur for the entire outstanding balance, or part of it, to become due, or
  - ii. the provisions of the mortgage that set out those conditions.

(2) If the variable interest rate for the loan is determined by adding or subtracting a fixed percentage rate of interest to or from a public index that is a variable rate, and if the brokerage is the lender under the mortgage, the brokerage must give the borrower an additional disclosure statement at least once every 12 months that contains the following information:

1. The annual interest rate at the beginning and end of the period covered by the disclosure statement.



2. The outstanding balance at the beginning and end of the period covered by the disclosure statement.
3. The amount of each instalment payment due under a payment schedule and the time when each payment is due, based on the annual interest rate that applies at the end of the period covered by the disclosure statement.
- (3) If the variable interest rate for the mortgage is determined by a method other than that referred to in subsection (2), and if the brokerage is the lender under the mortgage, the brokerage must give the borrower an additional disclosure statement no more than 30 days after increasing the annual interest rate by more than 1 per cent above the most recently disclosed rate and the disclosure statement must contain the following information:
  1. The new annual interest rate and the date on which it takes effect.
  2. The amount of each instalment payment and the time when each payment is due, for payments that are affected by the new annual interest rate.

**Disclosure — line of credit**

10. (1) A mortgage brokerage that enters into or arranges a mortgage securing a line of credit must give the borrower an initial disclosure statement that includes the following information:

1. The initial credit limit, if it is known at the time the disclosure is made.
  2. The annual interest rate, or the method for determining it if it is variable.
  3. The nature and amounts of any non-interest charges.
  4. The minimum payment during each payment period or the method for determining it.
  5. Each period for which a statement of account is to be provided.
  6. The date on and after which interest accrues and information concerning any grace period that applies.
  7. The particulars of the charges or penalties referred to in paragraph 5 of section 24 of the Act, including default charges that may be imposed under section 17 of this Regulation.
  8. The property in which the lender takes a security interest under the mortgage.
  9. Information about any optional service in relation to the mortgage that the borrower accepts, the charges for each optional service and the conditions under which the borrower may cancel the service, if that information is not disclosed in a separate statement before the optional service is provided.
  10. A local or toll-free telephone number, or a telephone number with a prominent indication that collect calls are accepted, that the borrower may use to get information about the account during the lender's regular business hours.
  11. Any charge for a brokerage, if the brokerage's charges are included in the amount borrowed and are paid directly by the lender to the brokerage.
- (2) If the initial credit limit is not known when the initial disclosure statement is made, and if the brokerage is a lender under the mortgage, the brokerage must disclose it,

- (a) in the first statement of account provided to the borrower; or
- (b) in a separate statement that the borrower receives on or before the date on which the borrower receives that first statement of account.

(3) Subject to subsection (4), if the brokerage is a lender under the mortgage, the brokerage must give the borrower an additional disclosure statement at least once a month that contains the following information:

1. The period covered by the disclosure statement and the opening and closing balances in the period.
2. An itemized statement of account that discloses each amount credited or charged, including interest, and the dates when those amounts were posted to the account.
3. The sum for payments and the sum for credit advances and interest and other charges.
4. The annual interest rate that applied on each day in the period and the total of interest charged at those rates in the period.
5. The credit limit and the amount of credit available at the end of the period.
6. The minimum payment and its due date.
7. The borrower's rights and obligations regarding any billing error that may appear in the statement of account.
8. A local or toll-free telephone number, or a telephone number with a prominent indication that collect calls are accepted, that the borrower may use to get information about the account during the brokerage's regular business hours.

(4) The additional disclosure statements described in subsection (3) are not required for a period during which there are no advances or payments and,

- (a) there is no outstanding balance at the end of the period; or
- (b) the borrower has notice that the mortgage has been suspended or cancelled due to default and the lender has demanded payment of the outstanding balance.

**Disclosure — credit card applications**

11. (1) A mortgage brokerage that issues a credit card secured by a mortgage or arranges a mortgage securing a credit card and distributes an application form for credit cards must specify the following information in the application form or in a document accompanying it, including the date on which each of the matters mentioned takes effect:

- 1. The annual interest rate for a credit card with a fixed rate of interest.
- 2. If the credit card does not have a fixed rate of interest, the fact that the variable interest rate is determined by adding or subtracting a fixed percentage rate of interest to or from a public index, the public index and the fixed percentage rate to be added or subtracted from it.
- 3. The day on and after which interest accrues and information concerning any grace period that applies.
- 4. The amount of any charges other than interest charges.

(2) Subsection (1) does not apply if, on the application form or in a document accompanying it, the mortgage brokerage prominently discloses,

- (a) a local or toll-free telephone number, or a telephone number with a prominent indication that collect calls are accepted, that the borrower may use to get information required by subsection (1) during the mortgage brokerage's regular business hours; and
- (b) the fact that the applicant may obtain the information otherwise required by subsection (1) at that telephone number.

(3) If an individual applies for a credit card by telephone or any electronic means, the mortgage brokerage must give the applicant the information required by paragraphs 1 and 4 of subsection (1) when the application is made.

(4) If a mortgage brokerage solicits applications for credit cards secured by a mortgage in person, by mail, by telephone or by any electronic means, the information required by paragraphs 1 and 4 of subsection (1) must be disclosed at the time of the solicitation.

**Disclosure — credit cards**

12. (1) A mortgage brokerage that enters into or arranges a mortgage secured by a credit card must give the borrower an initial disclosure statement that includes the following information:

- 1. The information described in paragraphs 1 and 3 to 11 of subsection 10 (1).
- 2. The manner in which interest is calculated and the information required by paragraph 1 or 2, as the case may be, of subsection 11 (1).
- 3. If the credit agreement requires the borrower to pay the outstanding balance in full on receiving a statement of account,
  - i. mention of that requirement,
  - ii. the grace period by the end of which the borrower must have paid that balance, and
  - iii. the annual interest rate charged on any outstanding balance not paid when due.
- 4. If a lost or stolen credit card is used in an unauthorized manner, the fact that the maximum liability of the borrower is the lesser of \$50 and the maximum set by the credit agreement.
- 5. If a transaction is entered into at an automated teller machine by using the borrower's personal identification number, the fact that the liability incurred by the transaction is the borrower's maximum liability, despite paragraph 4.
- 6. If the mortgage brokerage has received a report from the borrower, whether written or verbal, of a lost or stolen credit card, the fact that the borrower is not liable for any transaction entered into through the use of the card after the mortgage brokerage receives the report.

(2) If the initial credit limit is not known when the initial disclosure statement is made, the mortgage brokerage must disclose it,

- (a) in the first statement of account provided to the borrower; or
- (b) in a separate statement that the borrower receives on or before the date on which the borrower receives that first statement of account.



(3) Despite section 13, if a credit agreement for a credit card is amended, the mortgage brokerage must give the borrower a written statement at least 30 days before the amendment takes effect, and the statement must set out the changes to the information that was required to be given to the borrower in the initial disclosure statement, excluding information about the following changes:

1. Any change in the credit limit.
2. Any extension to the grace period.
3. Any decrease in charges other than interest charges and default charges referred to in paragraphs 3 and 7 of subsection 10 (1).
4. Any change concerning information about any optional service in relation to the credit agreement that is referred to in paragraph 9 of subsection 10 (1).
5. Any change in a variable interest rate referred to in paragraph 2 of subsection 11 (1) as a result of a change in the public index referred to in that paragraph.

(4) A change described in paragraphs 1 to 4 of subsection (3) must be disclosed in the first periodic disclosure statement that is given to the borrower after the amendment to the credit agreement is made.

(5) A mortgage brokerage that issues credit cards must give each borrower additional disclosure statements on a regular periodic basis, at least once a month that contain the following information:

1. The information described in subsections 10 (3) and (4), other than paragraphs 2 and 3 of subsection 10 (3).
2. An itemized statement of account that describes each transaction and discloses each amount credited or charged, including interest, and the dates when those amounts were posted to the account.
3. The amount that the borrower must pay, on or before a specified due date, in order to have the benefit of a grace period.
4. The sum for payments and the sum for purchases, credit advances and interest and other charges.

(6) For the purpose of paragraph 2 of subsection (5), an itemized statement of account is adequate if it permits the borrower to verify each transaction described by linking it with a transaction record provided to the borrower.

#### **Disclosure after amendment to a mortgage**

**13. (1)** This section applies if a mortgage brokerage is a lender under the mortgage.

(2) Subject to subsection (3), if a mortgage is amended by a subsequent agreement, the brokerage must give the borrower a written statement within 30 days after the borrower enters into the subsequent agreement, and the statement must describe the changes to the information required to be disclosed in the initial disclosure statement for the mortgage.

(3) If a mortgage for a fixed amount has a schedule for instalment payments and the schedule is amended by a subsequent agreement, the brokerage must give the borrower a written statement within 30 days after entering into the subsequent agreement, and the statement must set out the new payment schedule and any increase in the total amount to be paid or the cost of borrowing.

#### **Disclosure — renewal of a mortgage**

**14. (1)** This section applies if a mortgage brokerage is a lender under the mortgage.

(2) If a mortgage is to be renewed on a specified date, the brokerage must give the borrower a subsequent disclosure statement at least 21 days before the specified renewal date, and the statement must contain the information required by,

- (a) section 8, if the mortgage is for a fixed interest rate; or
- (b) section 9, if the mortgage is for a variable interest rate.

(3) The subsequent disclosure statement must specify that,

- (a) the cost of borrowing will not be increased after the disclosure statement is given to the borrower and before the mortgage is renewed; and
- (b) the borrower's rights under the mortgage continue, and the renewal does not take effect, until the day that is the later of the specified renewal date and the day that is and 21 days after the borrower receives the statement.

(4) If the brokerage does not intend to renew a mortgage after its term ends, the brokerage shall so notify the borrower at least 21 days before the end of the term.

#### **Disclosure — offer to waive payment**

**15. (1)** This section applies if a mortgage brokerage is a lender under the mortgage.



(2) If, under a mortgage for a fixed amount, the brokerage offers to waive a payment without waiving the accrual of interest during the period covered by the payment, the brokerage must disclose to the borrower in a prominent manner in the offer that interest will continue to accrue during that period if the borrower accepts the offer.

(3) If the brokerage offers to waive a payment under a mortgage that secures a line of credit or a credit card, the brokerage must disclose to the borrower in a prominent manner in the offer whether interest will continue to accrue during any period covered by the offer if the borrower accepts the offer.

#### Disclosure — cancellation of optional services

16. (1) This section applies if a mortgage brokerage is a lender under the mortgage and if the brokerage provides optional services, including insurance services, to a borrower on an ongoing basis in connection with the mortgage.

(2) A disclosure statement in relation to the mortgage must specify that,

- (a) the borrower may cancel the optional service by notifying the brokerage that the service is to be cancelled effective as of the day that is the earlier of one month after the day that the disclosure statement was provided to the borrower and the last day of a notice period provided for under the mortgage agreement; and
- (b) the brokerage shall, without delay, refund or credit the borrower with the proportional amount, calculated in accordance with the formula set out in subsection (3), of any charges for the service paid for by the borrower and added to the balance of the mortgage loan, but unused as of the cancellation day referred to in the notice.

(3) The proportion of charges to be refunded or credited to a borrower are calculated using the formula,

$$R = A \times \frac{n - m}{n}$$

in which,

“R” is the amount to be refunded or credited,

“A” is the amount of the charges,

“n” is the period between the imposition of the charge and the time when the services were, before the cancellation, scheduled to end, and

“m” is the period between the imposition of the charge and the cancellation.

#### DEFAULT CHARGES

##### Default charges

17. If a mortgage brokerage is a lender under a mortgage and if a borrower fails to make a payment when it becomes due or fails to comply with an obligation under the mortgage, in addition to interest, the brokerage may impose charges for the sole purpose of recovering the costs reasonably incurred,

- (a) for legal services required to collect or attempt to collect the payment;
- (b) for expenses incurred to realize on a security interest taken under the mortgage or to protect such a security interest, including the cost of legal services required for that purpose; or
- (c) for expenses incurred to process a cheque or other payment instrument that the borrower used to make a payment under the mortgage but that was dishonoured.

#### ADVERTISING

##### Advertising — mortgage for a fixed amount

18. (1) If a mortgage brokerage advertises a mortgage for a fixed amount and if the advertisement includes a representation about the interest rate or the amount of any payment or of any charge other than interest, the advertisement must also include the APR and the term of the mortgage and the APR must be provided at least as prominently as the representation and in the same manner as the representation is made, whether visually or aurally, or both.

(2) If the APR or the term of the mortgage is not the same for all mortgages to which the advertisement relates, the disclosure must be based on an example of a mortgage that fairly depicts all those mortgages and is identified as a representative example of them.

##### Advertising — line of credit

19. If a mortgage brokerage advertises a mortgage that secures a line of credit and if the advertisement includes a representation about the annual interest rate or the amount of any payment or of any charge other than interest, the advertisement must also include the annual rate of interest on the date of the advertisement and any initial or periodic charges other than interest and that information must be provided at least as prominently as the representation and in the same manner as the representation is made, whether visually or aurally, or both.

**Advertising — interest-free periods**

20. (1) If a mortgage brokerage advertises a mortgage and if the advertisement includes a representation, express or implied, that a period of the mortgage is free of any interest charges, the advertisement must indicate whether interest accrues during the period and is payable after the period and that information must be provided at least as prominently as the representation, if it was express, or in a prominent manner, if it was implied.

(2) If interest does not accrue during the period, the advertisement must also disclose any conditions that apply to the forgiving of the accrued interest and the APR, or the annual interest rate in the case of a mortgage that secures a credit card or line of credit, for a period when those conditions are not met.

**PURCHASING INSURANCE****Insurance**

21. (1) This section applies if a brokerage is a lender under the mortgage.

(2) If the brokerage requires a borrower to purchase any insurance, and if the brokerage offers to provide or arrange the insurance, the brokerage must at the same time clearly disclose to the borrower in writing that the borrower may purchase the required insurance through any insurer who may lawfully provide that type of insurance except that the brokerage may reserve the right to disapprove on reasonable grounds an insurer selected by the borrower.

**COMMENCEMENT****Commencement**

22. This Regulation comes into force on January 1, 2009.

25/08

**ONTARIO REGULATION 192/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

Made: June 4, 2008

Filed: June 6, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008**ADMINISTRATIVE PENALTIES****GENERAL ADMINISTRATIVE PENALTIES  
(SECTION 39 OF THE ACT)****Exclusions from s. 39 penalties**

1. An administrative penalty cannot be imposed under section 39 of the Act for a contravention of section 46 of the Act (Prohibition re reprisals).

**Superintendent's authority**

2. The Superintendent is authorized to determine the amount of a penalty imposed under section 39 of the Act, subject to the limits set out in section 41 of the Act.

**Criteria for determining amount of penalty**

3. The Superintendent shall consider only the following criteria when determining the amount of an administrative penalty to be imposed under section 39 of the Act for a purpose set out in section 38 of the Act:

1. The degree to which the contravention or failure was intentional, reckless or negligent.
2. The extent of the harm or potential harm to others resulting from the contravention or failure.
3. The extent to which the person or entity tried to mitigate any loss or to take other remedial action.
4. The extent to which the person or entity derived or reasonably might have expected to derive, directly or indirectly, any economic benefit from the contravention or failure.

5. Any other contraventions or failures to comply with a requirement established under the Act or with any other financial services legislation of Ontario or of any jurisdiction during the preceding five years by the person or entity.

**Deadline for paying s. 39 penalties**

4. (1) A person or entity on whom a penalty has been imposed under section 39 of the Act shall pay the penalty no later than 30 days after the person or entity is given notice of the order imposing the penalty or such longer time as may be specified in the order.

(2) If a person or entity requests a hearing on the notice of proposal to impose the order in accordance with subsection 39 (5) of the Act, the person or entity shall pay the penalty no later than 30 days after the matter is finally determined or such longer time as may be specified in the order.

**SUMMARY ADMINISTRATIVE PENALTIES  
(SECTION 40 OF THE ACT)**

**Deadline for paying s. 40 penalties**

5. (1) A person or entity on whom a penalty has been imposed under section 40 of the Act shall pay the penalty no later than 30 days after the person or entity is given notice of the order imposing the penalty.

(2) If a person or entity appeals the Superintendent's order in accordance with subsection 40 (4) of the Act, the person or entity shall pay the penalty no later than 30 days after the matter is finally determined or such longer time as may be specified in the varied or confirmed order.

**COMMENCEMENT**

**Commencement**

6. This Regulation comes into force on July 1, 2008.

25/08

**ONTARIO REGULATION 193/08**

made under the

**MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006**

Made: June 4, 2008

Filed: June 6, 2008

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**REPORTING REQUIREMENTS FOR LICENSEES**

**PRESCRIBED REPORTING REQUIREMENTS**

**Requirement to submit information, etc.**

1. The requirements set out in this Regulation are prescribed for the purposes of subsection 29 (1) of the Act.

**ANNUAL FILINGS**

**Annual information return**

2. On or before March 31 of every year, every brokerage and every mortgage administrator shall give the Superintendent an annual information return for the previous year in a form approved by the Superintendent.

**Financial information, mortgage administrator**

3. (1) Within 90 days after the end of every fiscal year, every mortgage administrator shall give the Superintendent,
- (a) a copy of its audited financial statements for the year;
  - (b) a copy of a report by the auditor about the books, records and accounts of the mortgage administrator for the year, in a form approved by the Superintendent; and
  - (c) a copy of a report by the auditor about the mortgage administrator's trust account and the assets and liabilities under administration for the year, in a form approved by the Superintendent.



(2) The financial statements must be prepared in accordance with generally accepted accounting principles as set out in the Handbook of the Canadian Institute of Chartered Accountants and must be audited by a licensed public accountant.

(3) The reports required by clauses (1) (b) and (c) for a fiscal year must be prepared by the same person who audits the financial statements for the year.

#### INFORMATION ABOUT OTHER MATTERS

##### Establishment of trust account

4. (1) If a brokerage is required by the standards of practice to establish a mortgage brokerage trust account, the brokerage shall notify the Superintendent as soon as practicable and, in any event, no later than five days after the brokerage is required to establish the account.

(2) When a mortgage administrator is required by the standards of practice to establish a mortgage administrator's trust account, the mortgage administrator shall notify the Superintendent as soon as practicable and, in any event, no later than five days after the mortgage administrator is required to establish the account.

##### Location of records

5. (1) If a brokerage or mortgage administrator intends to retain its records at premises in Ontario other than its principal place of business in Ontario, if any, the brokerage or mortgage administrator shall notify the Superintendent and shall specify the premises at which the records are to be kept.

(2) Subsection (1) applies only with respect to the records that the brokerage or mortgage administrator is required to retain under the applicable standards of practice.

#### REPORTING ABOUT OTHER CHANGES

##### Change of address for service

6. If a licensee changes the licensee's mailing address in Ontario, the licensee shall give the Superintendent particulars of the new address no later than five days after the change occurs.

##### Change of other contact information

7. If a licensee changes the licensee's e-mail address, phone number or fax number, the licensee shall give the Superintendent particulars of the new address or number no later than five days after the change occurs.

##### Change of principal place of business

8. If a brokerage or mortgage administrator changes the location of its principal place of business in Ontario, the brokerage or mortgage administrator shall notify the Superintendent no later than five days after the change occurs.

##### Change of offices open to the public

9. If a brokerage or mortgage administrator opens or closes an office in Ontario that is open to the public, the brokerage or mortgage administrator shall notify the Superintendent no later than five days after doing so.

##### Change of director, officer, partner

10. (1) If a licensee that is a corporation changes one or more of its directors or officers, the licensee shall notify the Superintendent no later than five days after the change occurs.

(2) If a licensee that is a partnership changes one or more of its partners, the licensee shall notify the Superintendent no later than five days after the change occurs.

##### Change of principal broker

11. If a brokerage changes its principal broker, the brokerage shall notify the Superintendent no later than five days after the change occurs.

##### Change of authority to act on behalf of brokerage

12. (1) If a mortgage broker or agent ceases to be authorized to deal or trade in mortgages on behalf of a brokerage, the brokerage shall notify the Superintendent no later than five days after the authority ceases.

(2) A mortgage broker or agent who ceases to be authorized to deal or trade in mortgages on behalf of a brokerage shall notify the Superintendent no later than five days after the authority ceases.

##### Change re insurance coverage

13. If the errors and omissions insurance or other assurance maintained by a brokerage or mortgage administrator in accordance with the applicable standards of practice is cancelled or is not renewed, the brokerage or mortgage administrator shall immediately notify the Superintendent.

**Change re financial guarantee, mortgage administrator**

14. If the financial guarantee maintained by a mortgage administrator in accordance with the standards of practice is cancelled or is reduced to an amount lower than the minimum amount required by the standards of practice, the mortgage administrator shall immediately notify the Superintendent.

**ADMINISTRATIVE PENALTIES FOR NON-COMPLIANCE****Penalty amounts**

15. (1) If a brokerage or mortgage administrator fails to comply with a requirement of this Regulation, the following summary administrative penalty may be imposed under section 40 of the Act:

1. \$1,000 for each failure to comply with section 2, 3, 4 or 13.
2. \$500 for each failure to comply with any other provision of this Regulation.

(2) If a broker or agent fails to comply with a requirement of this Regulation, a summary administrative penalty of \$250 may be imposed under section 40 of the Act for each failure to comply with section 6 or 7 or subsection 12 (2) of this Regulation.

**REVOCATION AND COMMENCEMENT****Revocation**

16. Ontario Regulation 412/07 is revoked.

**Commencement**

17. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 2, 3, 4, 5, 9, 13, 14 and 15 come into force on July 1, 2008.

25/08

**ONTARIO REGULATION 194/08**

made under the

**MORTGAGE BROKERS ACT**

Made: June 4, 2008

Filed: June 6, 2008

Published on e-Laws: June 9, 2008

Printed in *The Ontario Gazette*: June 21, 2008

Revoking Reg. 798 of R.R.O. 1990

(General)

Note: Regulation 798 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

1. Regulation 798 of the Revised Regulations of Ontario, 1990 is revoked.

2. This Regulation comes into force on the day that section 58 of the *Mortgage Brokerages, Lenders and Administrators Act, 2006* comes into force.

25/08

**ONTARIO REGULATION 195/08**

made under the

**PROVINCIAL OFFENCES ACT**

Made: June 4, 2008

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Printed in *The Ontario Gazette*: June 21, 2008

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Item 124 of the English version of Schedule 66.1 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by striking out “pathway” and substituting “parkway”.**

**2. The Regulation is amended by adding the following French version of Schedule 66.1:**

**ANNEXE 66.1**

Règlement 829 des Règlements refondus de l'Ontario de 1990 pris en application de la *Loi sur les parcs du Niagara*

Numéro	Colonne 1	Colonne 2
1.	Enlever une plante, un arbrisseau ou une fleur	alinéa 2 (1) a)
2.	Endommager une plante, un arbrisseau ou une fleur	alinéa 2 (1) a)
3.	Grimper sur un arbre	alinéa 2 (1) b)
4.	Grimper sur une clôture	alinéa 2 (1) b)
5.	Enlever un arbre	alinéa 2 (1) b)
6.	Enlever une clôture	alinéa 2 (1) b)
7.	Endommager un arbre	alinéa 2 (1) b)
8.	Endommager une clôture	alinéa 2 (1) b)
9.	Grimper sur un banc ou un siège	alinéa 2 (1) c)
10.	Grimper sur un monument	alinéa 2 (1) c)
11.	Grimper sur un panneau	alinéa 2 (1) c)
12.	Enlever un banc ou un siège	alinéa 2 (1) c)
13.	Enlever un monument	alinéa 2 (1) c)
14.	Enlever un panneau	alinéa 2 (1) c)
15.	Endommager un banc ou un siège	alinéa 2 (1) c)
16.	Endommager un monument	alinéa 2 (1) c)
17.	Endommager un panneau	alinéa 2 (1) c)
18.	Grimper sur un pont	alinéa 2 (1) d)
19.	Grimper sur un mur	alinéa 2 (1) d)
20.	Abîmer un pont	alinéa 2 (1) d)
21.	Endommager un pont	alinéa 2 (1) d)
22.	Abîmer un mur	alinéa 2 (1) d)
23.	Endommager un mur	alinéa 2 (1) d)
24.	Abîmer un bâtiment	alinéa 2 (1) e)
25.	Endommager un bâtiment	alinéa 2 (1) e)
26.	Abîmer un bien de la Commission	alinéa 2 (1) f)
27.	Endommager un bien de la Commission	alinéa 2 (1) f)
28.	Jeter ou déposer des objets	paragraphe 2 (2)
29.	Jeter ou déposer des débris	paragraphe 2 (2)
30.	Laisser un animal en liberté	paragraphe 2 (3)
31.	Faire illégalement de l'équitation	paragraphe 2 (4)
32.	Nager ou se baigner dans une zone non désignée à cette fin	alinéa 2 (5) a)
33.	Introduire un radeau de sauvetage ou une chambre à air dans une zone de baignade	alinéa 2 (5) b)
34.	Utiliser un radeau de sauvetage ou une chambre à air dans une zone de baignade	alinéa 2 (5) b)
35.	Introduire un bateau dans une zone de baignade	alinéa 2 (5) c)
36.	Introduire une planche de surf dans une zone de baignade	alinéa 2 (5) c)
37.	Introduire des skis nautiques dans une zone de baignade	alinéa 2 (5) c)



Numéro	Colonne 1	Colonne 2
38.	Introduire du matériel de plongée sous-marine dans une zone de baignade	alinéa 2 (5) c)
39.	Utiliser un bateau dans une zone de baignade	alinéa 2 (5) c)
40.	Utiliser une planche de surf dans une zone de baignade	alinéa 2 (5) c)
41.	Utiliser des skis nautiques dans une zone de baignade	alinéa 2 (5) c)
42.	Utiliser du matériel de plongée sous-marine dans une zone de baignade	alinéa 2 (5) c)
43.	Introduire une bouteille de verre dans une zone de baignade	alinéa 2 (5) d)
44.	Introduire une boîte métallique dans une zone de baignade	alinéa 2 (5) d)
45.	Introduire un récipient dans une zone de baignade	alinéa 2 (5) d)
46.	Avoir en sa possession une bouteille de verre dans une zone de baignade	alinéa 2 (5) d)
47.	Avoir en sa possession une boîte métallique dans une zone de baignade	alinéa 2 (5) d)
48.	Avoir en sa possession un récipient dans une zone de baignade	alinéa 2 (5) d)
49.	Introduire un animal dans une zone de baignade	alinéa 2 (5) e)
50.	Permettre à un animal de se trouver dans une zone de baignade	alinéa 2 (5) e)
51.	Avoir illégalement en sa possession un fusil à air comprimé	alinéa 2 (6) a)
52.	Avoir illégalement en sa possession un fusil à gaz comprimé	alinéa 2 (6) a)
53.	Avoir illégalement en sa possession un fusil à ressort	alinéa 2 (6) a)
54.	Avoir illégalement en sa possession du matériel de tir à l'arc	alinéa 2 (6) a)
55.	Avoir illégalement en sa possession une catapulte	alinéa 2 (6) a)
56.	Allumer ou faire partir illégalement des pièces de feux d'artifice	alinéa 2 (6) b)
57.	Faire illégalement un feu	paragraphe 2 (7)
58.	Allumer illégalement un feu	paragraphe 2 (7)
59.	Se promener sur l'herbe ou le gazon dans une zone interdite	paragraphe 2 (8)
60.	Lancer des pierres	alinéa 2 (9) b)
61.	Rechercher des clients éventuels	alinéa 2 (9) c)
62.	Mendier	alinéa 2 (9) d)
63.	Faire de la sollicitation	alinéa 2 (9) d)
64.	Solliciter des souscriptions	alinéa 2 (9) d)
65.	Solliciter des contributions	alinéa 2 (9) d)
66.	Mettre illégalement des articles ou des objets en vente	alinéa 2 (9) e)
67.	Mettre illégalement des services en vente	alinéa 2 (9) e)
68.	Vendre illégalement des articles ou des objets	alinéa 2 (9) e)
69.	Vendre illégalement des services	alinéa 2 (9) e)
70.	Distribuer des imprimés	alinéa 2 (9) f)
71.	Placer des imprimés sur un véhicule ou à l'intérieur de celui	alinéa 2 (9) f)
72.	Flâner entre minuit et le lever du soleil	alinéa 2 (9) g)
73.	Chasser illégalement du gibier à plume	alinéa 2 (9) k)
74.	Tirer illégalement du gibier à plume	alinéa 2 (9) k)
75.	Chasser illégalement les oiseaux	alinéa 2 (9) l)
76.	Piéger illégalement les oiseaux	alinéa 2 (9) l)
77.	Maltraiter illégalement les oiseaux	alinéa 2 (9) l)
78.	Chasser illégalement les animaux	alinéa 2 (9) l)
79.	Piéger illégalement les animaux	alinéa 2 (9) l)
80.	Maltraiter illégalement les animaux	alinéa 2 (9) l)
81.	Endommager ou détruire un avis affiché	alinéa 2 (9) m)
82.	Camper illégalement dans une zone non désignée à cette fin	alinéa 2 (9) n)
83.	Entrer illégalement dans les parcs dans les 72 heures après avoir été expulsé	paragraphe 2 (13)
84.	Tenter illégalement d'entrer dans les parcs dans les 72 heures après avoir été expulsé	paragraphe 2 (13)
85.	Placer illégalement un bateau ou une autre embarcation sur le talus de la rivière Niagara qui relève de la compétence de la Commission	article 4
86.	Placer illégalement un bateau ou une autre embarcation sur la rive de la rivière Niagara qui relève de la compétence de la Commission	article 4
87.	Permettre illégalement que soit placé un bateau ou une autre embarcation sur le talus de la rivière Niagara qui relève de la compétence de la Commission	article 4
88.	Permettre illégalement que soit placé un bateau ou une autre embarcation sur la rive de la rivière Niagara qui relève de la compétence de la Commission	article 4
89.	Décoller illégalement à bord d'un ballon à partir des parcs	article 5
90.	Décoller illégalement à bord d'un aéroplane ou d'un autre type d'aéronef à partir des parcs	article 5
91.	Atterrir illégalement en ballon	article 5
92.	Atterrir illégalement en parachute	article 5
93.	Atterrir illégalement en aéroplane ou à bord d'un autre type d'aéronef	article 5
94.	Jouer illégalement d'un instrument	alinéa 6 a)
95.	Transporter illégalement un drapeau ou autre emblème	alinéa 6 b)

Numéro	Colonne 1	Colonne 2
96.	Afficher illégalement un drapeau ou autre emblème	alinéa 6 b)
97.	Défiler illégalement	alinéa 6 c)
98.	Accomplir illégalement toute action qui peut vraisemblablement porter des personnes à s'assembler	alinéa 6 d)
99.	Creuser illégalement le sol	article 7
100.	Transporter illégalement des bâtiments ou des constructions qui peuvent entraver la circulation sur la chaussée	article 8
101.	Transporter illégalement des machines qui peuvent entraver la circulation sur la chaussée	article 8
102.	Poser ou afficher des avis, des affiches ou d'autres dispositifs publicitaires dans une zone interdite sans permis d'affichage	article 10
103.	Exposer des avis, des affiches ou d'autres dispositifs publicitaires dans une zone interdite sans permis d'affichage	article 10
104.	Guider des visiteurs moyennant rétribution sans permis de guide	paragraphe 11 (1)
105.	Exploiter un véhicule touristique sans permis de guide	paragraphe 11 (2)
106.	Permettre à une autre personne d'exploiter un véhicule touristique sans permis de guide	paragraphe 11 (2)
107.	Exploiter un véhicule touristique sans permis de véhicule touristique	paragraphe 12 (1)
108.	Permettre à une autre personne d'exploiter un véhicule touristique sans permis de véhicule touristique	paragraphe 12 (1)
109.	Vitesse supérieure à 40 km/h dans le parc Queen Victoria	alinéa 13 (3) a)
110.	Vitesse supérieure à 40 km/h dans le parc Queenston Heights	alinéa 13 (3) a)
111.	Vitesse supérieure à 50 km/h sur la partie désignée du chemin Lakeshore	alinéa 13 (3) b)
112.	Vitesse supérieure à 50 km/h sur la partie désignée de la promenade Niagara	alinéa 13 (3) b)
113.	Vitesse supérieure à 50 km/h sur la partie désignée de la promenade Niagara	alinéa 13 (3) c)
114.	Vitesse supérieure à 60 km/h sur les voies publiques, chemins, boulevards ou promenades de la Commission	alinéa 13 (3) d)
115.	Utiliser un véhicule hors des tronçons des voies publiques, des chemins, des boulevards ou des promenades de la Commission qui sont aménagés pour la circulation des véhicules	paragraphe 13 (4)
116.	Utiliser un véhicule tracté, propulsé ou conduit par la force musculaire dans les endroits interdits	paragraphe 13 (4.1)
117.	Conduire une motoneige dans une zone non désignée à cette fin	alinéa 13 (5) a)
118.	Conduire une motoneige entre 23 h et 7 h	alinéa 13 (5) b)
119.	Utiliser un véhicule lourd	paragraphe 13 (9)
120.	Conduire un véhicule lourd	paragraphe 13 (9)
121.	Marcher sur les voies publiques, les chemins, les boulevards ou les promenades dans les endroits interdits	paragraphe 13 (12)
122.	Ne pas immobiliser son véhicule avant d'emprunter la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade	paragraphe 14 (1)
123.	Bicyclette — ne pas céder le passage au moment d'emprunter la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade à partir d'un sentier	paragraphe 14 (2)
124.	Véhicule motorisé — ne pas céder le passage au moment d'emprunter un sentier qui ne fait pas partie de la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade	paragraphe 14 (3)
125.	Afficher illégalement une affiche ou un dispositif publicitaire à l'extérieur d'un véhicule touristique	article 19
126.	Faire fonctionner un système de sonorisation ou un haut-parleur à partir d'un véhicule touristique	article 20
127.	Permettre à un enfant de moins de 10 ans qui n'est pas accompagné d'un adulte de se trouver dans les parcs	article 21

### 3. The Regulation is amended by adding the following French version of Schedule 82.1:

#### ANNEXE 82.1

Règlement 1023 des Règlements refondus de l'Ontario de 1990 pris en application de la *Loi sur la Commission des parcs du Saint-Laurent*

Numéro	Colonne 1	Colonne 2
1.	Couper une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
2.	Enlever une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
3.	Endommager une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
4.	Abîmer les biens de la Commission	alinéa 2 (1) b)
5.	Enlever les biens de la Commission	alinéa 2 (1) b)
6.	Endommager les biens de la Commission	alinéa 2 (1) b)
7.	Aller dans les secteurs fermés des parcs	alinéa 2 (1) c)



Numéro	Colonne 1	Colonne 2
8.	Aller dans les parcs ailleurs qu'à un point d'entrée désigné	paragraphe 2 (2)
9.	Vendre illégalement un article	alinéa 3 (1) b)
10.	Vendre illégalement un service	alinéa 3 (1) b)
11.	Mettre illégalement un article en vente	alinéa 3 (1) b)
12.	Mettre illégalement un service en vente	alinéa 3 (1) b)
13.	Mendier	alinéa 3 (1) c)
14.	Demander la charité	alinéa 3 (1) c)
15.	Entrer illégalement dans les parcs dans les 10 jours après avoir été expulsé	paragraphe 3 (4)
16.	Tenter illégalement d'entrer dans les parcs dans les 10 jours après avoir été expulsé	paragraphe 3 (4)
17.	Avoir illégalement en sa possession un fusil à air comprimé	alinéa 4 a)
18.	Allumer ou faire partir illégalement des pièces de feux d'artifice	alinéa 4 b)
19.	Jeter des débris ailleurs que dans les récipients fournis à cette fin	paragraphe 5 (1)
20.	Abandonner des objets ailleurs que dans les récipients fournis à cette fin	paragraphe 5 (1)
21.	Ne pas garder un emplacement de camping dans un état propre	paragraphe 5 (2)
22.	Ne pas rétablir un emplacement de camping dans son état naturel	paragraphe 5 (2)
23.	Allumer un feu ailleurs que dans un foyer	alinéa 6 (2) a)
24.	Entretenir un feu ailleurs que dans un foyer	alinéa 6 (2) a)
25.	Allumer un feu à un endroit non désigné à cette fin	alinéa 6 (2) b)
26.	Entretenir un feu à un endroit non désigné à cette fin	alinéa 6 (2) b)
27.	Laisser brûler un feu sans surveillance	paragraphe 6 (3)
28.	Fumer dans un endroit interdit	paragraphe 6 (4)
29.	Amener un animal non attaché à une laisse dans les parcs	paragraphe 7 (1)
30.	Amener dans les parcs un animal attaché à une laisse d'une longueur supérieure à deux mètres	paragraphe 7 (1)
31.	Faire illégalement de l'équitation dans les parcs	paragraphe 7 (2)
32.	Permettre à un animal, notamment un cheval ou un chien, d'aller dans les eaux servant à la baignade	paragraphe 7 (3)
33.	Permettre à un animal, notamment un cheval ou un chien, d'aller sur la plage	paragraphe 7 (3)
34.	Conduire un véhicule en dehors de la chaussée	article 8
35.	Conduire un véhicule à un endroit non désigné à cette fin	article 8
36.	Utiliser un véhicule lourd sans consentement	paragraphe 11 (2)
37.	Faire atterrir un aéronef ailleurs que dans un aéroport	article 12
38.	Ne pas obéir à un ordre concernant la circulation	paragraphe 13 (2)
39.	Conduire illégalement un véhicule utilitaire dans les parcs	article 14
40.	Se trouver illégalement dans les parcs entre le coucher du soleil et 9 h	article 16
41.	Piquer-niquer dans des lieux non prévus à cette fin	article 17
42.	Se livrer à des activités sportives dans des lieux non prévus à cette fin	article 18
43.	Utiliser un bateau dans un lieu de baignade	paragraphe 19 (1)
44.	Utiliser une planche à voile dans un lieu de baignade	paragraphe 19 (1)
45.	Utiliser des skis nautiques dans un lieu de baignade	paragraphe 19 (1)
46.	Utiliser un aquaplane dans un lieu de baignade	paragraphe 19 (1)
47.	Laisser un bateau sur une plage adjacente à un lieu de baignade	paragraphe 19 (2)
48.	Laisser une planche à voile sur une plage adjacente à un lieu de baignade	paragraphe 19 (2)
49.	Occuper illégalement un emplacement de camping	article 20
50.	Placer plus de trois éléments de matériel sur un emplacement de camping	paragraphe 23 (1)
51.	Construire un quai sur un emplacement de camping ou à proximité de celui	paragraphe 23 (2)
52.	Construire un hangar sur un emplacement de camping ou à proximité de celui	paragraphe 23 (2)
53.	Laisser un emplacement de camping inoccupé pendant plus de huit heures au cours des 24 premières heures	paragraphe 24 (4)
54.	Laisser illégalement un emplacement de camping inoccupé pendant plus de 48 heures	paragraphe 24 (5)
55.	Visiteur — ne pas quitter un emplacement de camping au plus tard à 21 h	paragraphe 24 (7)
56.	Permettre à plus de six personnes (sauf un ou deux adultes et leurs enfants) d'occuper un emplacement de camping	paragraphe 24 (9)
57.	Faire illégalement entrer un véhicule dans les parcs	paragraphe 25 (1)
58.	Transporter illégalement un bâtiment	article 28

**4. This Regulation comes into force on the day it is filed.**



**RÈGLEMENT DE L'ONTARIO 195/08**

pris en application de la

**LOI SUR LES INFRACTIONS PROVINCIALES**

pris le 4 juin 2008

déposé le 6 juin 2008

publié sur le site Lois-en-ligne le 10 juin 2008

imprimé dans la *Gazette de l'Ontario* le 21 juin 2008

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des codifications (règlements) qui se trouve sur le site [www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca).

1. Le point 124 de la version anglaise de l'annexe 66.1 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «parkway» à «pathway».

2. Le règlement est modifié par adjonction de la version française suivante de l'annexe 66.1 :

**ANNEXE 66.1**

Règlement 829 des Règlements refondus de l'Ontario de 1990 pris en application de la *Loi sur les parcs du Niagara*

Numéro	Colonne 1	Colonne 2
1.	Enlever une plante, un arbrisseau ou une fleur	alinéa 2 (1) a)
2.	Endommager une plante, un arbrisseau ou une fleur	alinéa 2 (1) a)
3.	Grimper sur un arbre	alinéa 2 (1) b)
4.	Grimper sur une clôture	alinéa 2 (1) b)
5.	Enlever un arbre	alinéa 2 (1) b)
6.	Enlever une clôture	alinéa 2 (1) b)
7.	Endommager un arbre	alinéa 2 (1) b)
8.	Endommager une clôture	alinéa 2 (1) b)
9.	Grimper sur un banc ou un siège	alinéa 2 (1) c)
10.	Grimper sur un monument	alinéa 2 (1) c)
11.	Grimper sur un panneau	alinéa 2 (1) c)
12.	Enlever un banc ou un siège	alinéa 2 (1) c)
13.	Enlever un monument	alinéa 2 (1) c)
14.	Enlever un panneau	alinéa 2 (1) c)
15.	Endommager un banc ou un siège	alinéa 2 (1) c)
16.	Endommager un monument	alinéa 2 (1) c)
17.	Endommager un panneau	alinéa 2 (1) c)
18.	Grimper sur un pont	alinéa 2 (1) d)
19.	Grimper sur un mur	alinéa 2 (1) d)
20.	Abîmer un pont	alinéa 2 (1) d)
21.	Endommager un pont	alinéa 2 (1) d)
22.	Abîmer un mur	alinéa 2 (1) d)
23.	Endommager un mur	alinéa 2 (1) d)
24.	Abîmer un bâtiment	alinéa 2 (1) e)
25.	Endommager un bâtiment	alinéa 2 (1) e)
26.	Abîmer un bien de la Commission	alinéa 2 (1) f)
27.	Endommager un bien de la Commission	alinéa 2 (1) f)
28.	Jeter ou déposer des objets	paragraphe 2 (2)
29.	Jeter ou déposer des débris	paragraphe 2 (2)
30.	Laisser un animal en liberté	paragraphe 2 (3)
31.	Faire illégalement de l'équitation	paragraphe 2 (4)
32.	Nager ou se baigner dans une zone non désignée à cette fin	alinéa 2 (5) a)
33.	Introduire un radeau de sauvetage ou une chambre à air dans une zone de baignade	alinéa 2 (5) b)
34.	Utiliser un radeau de sauvetage ou une chambre à air dans une zone de baignade	alinéa 2 (5) b)
35.	Introduire un bateau dans une zone de baignade	alinéa 2 (5) c)
36.	Introduire une planche de surf dans une zone de baignade	alinéa 2 (5) c)
37.	Introduire des skis nautiques dans une zone de baignade	alinéa 2 (5) c)

Numéro	Colonne 1	Colonne 2
38.	Introduire du matériel de plongée sous-marine dans une zone de baignade	alinéa 2 (5) c)
39.	Utiliser un bateau dans une zone de baignade	alinéa 2 (5) c)
40.	Utiliser une planche de surf dans une zone de baignade	alinéa 2 (5) c)
41.	Utiliser des skis nautiques dans une zone de baignade	alinéa 2 (5) c)
42.	Utiliser du matériel de plongée sous-marine dans une zone de baignade	alinéa 2 (5) c)
43.	Introduire une bouteille de verre dans une zone de baignade	alinéa 2 (5) d)
44.	Introduire une boîte métallique dans une zone de baignade	alinéa 2 (5) d)
45.	Introduire un récipient dans une zone de baignade	alinéa 2 (5) d)
46.	Avoir en sa possession une bouteille de verre dans une zone de baignade	alinéa 2 (5) d)
47.	Avoir en sa possession une boîte métallique dans une zone de baignade	alinéa 2 (5) d)
48.	Avoir en sa possession un récipient dans une zone de baignade	alinéa 2 (5) d)
49.	Introduire un animal dans une zone de baignade	alinéa 2 (5) e)
50.	Permettre à un animal de se trouver dans une zone de baignade	alinéa 2 (5) e)
51.	Avoir illégalement en sa possession un fusil à air comprimé	alinéa 2 (6) a)
52.	Avoir illégalement en sa possession un fusil à gaz comprimé	alinéa 2 (6) a)
53.	Avoir illégalement en sa possession un fusil à ressort	alinéa 2 (6) a)
54.	Avoir illégalement en sa possession du matériel de tir à l'arc	alinéa 2 (6) a)
55.	Avoir illégalement en sa possession une catapulte	alinéa 2 (6) a)
56.	Allumer ou faire partir illégalement des pièces de feux d'artifice	alinéa 2 (6) b)
57.	Faire illégalement un feu	paragraphe 2 (7)
58.	Allumer illégalement un feu	paragraphe 2 (7)
59.	Se promener sur l'herbe ou le gazon dans une zone interdite	paragraphe 2 (8)
60.	Lancer des pierres	alinéa 2 (9) b)
61.	Rechercher des clients éventuels	alinéa 2 (9) c)
62.	Mendier	alinéa 2 (9) d)
63.	Faire de la sollicitation	alinéa 2 (9) d)
64.	Solliciter des souscriptions	alinéa 2 (9) d)
65.	Solliciter des contributions	alinéa 2 (9) d)
66.	Mettre illégalement des articles ou des objets en vente	alinéa 2 (9) e)
67.	Mettre illégalement des services en vente	alinéa 2 (9) e)
68.	Vendre illégalement des articles ou des objets	alinéa 2 (9) e)
69.	Vendre illégalement des services	alinéa 2 (9) e)
70.	Distribuer des imprimés	alinéa 2 (9) f)
71.	Placer des imprimés sur un véhicule ou à l'intérieur de celui-ci	alinéa 2 (9) f)
72.	Flâner entre minuit et le lever du soleil	alinéa 2 (9) g)
73.	Chasser illégalement du gibier à plume	alinéa 2 (9) k)
74.	Tirer illégalement du gibier à plume	alinéa 2 (9) k)
75.	Chasser illégalement les oiseaux	alinéa 2 (9) l)
76.	Piéger illégalement les oiseaux	alinéa 2 (9) l)
77.	Maltraiter illégalement les oiseaux	alinéa 2 (9) l)
78.	Chasser illégalement les animaux	alinéa 2 (9) l)
79.	Piéger illégalement les animaux	alinéa 2 (9) l)
80.	Maltraiter illégalement les animaux	alinéa 2 (9) l)
81.	Endommager ou détruire un avis affiché	alinéa 2 (9) m)
82.	Camper illégalement dans une zone non désignée à cette fin	alinéa 2 (9) n)
83.	Entrer illégalement dans les parcs dans les 72 heures après avoir été expulsé	paragraphe 2 (13)
84.	Tenter illégalement d'entrer dans les parcs dans les 72 heures après avoir été expulsé	paragraphe 2 (13)
85.	Placer illégalement un bateau ou une autre embarcation sur le talus de la rivière Niagara qui relève de la compétence de la Commission	article 4
86.	Placer illégalement un bateau ou une autre embarcation sur la rive de la rivière Niagara qui relève de la compétence de la Commission	article 4
87.	Permettre illégalement que soit placé un bateau ou une autre embarcation sur le talus de la rivière Niagara qui relève de la compétence de la Commission	article 4
88.	Permettre illégalement que soit placé un bateau ou une autre embarcation sur la rive de la rivière Niagara qui relève de la compétence de la Commission	article 4
89.	Décoller illégalement à bord d'un ballon à partir des parcs	article 5
90.	Décoller illégalement à bord d'un aéroplane ou d'un autre type d'aéronef à partir des parcs	article 5
91.	Atterrir illégalement en ballon	article 5
92.	Atterrir illégalement en parachute	article 5
93.	Atterrir illégalement en aéroplane ou à bord d'un autre type d'aéronef	article 5
94.	Jouer illégalement d'un instrument	alinéa 6 a)
95.	Transporter illégalement un drapeau ou autre emblème	alinéa 6 b)



Numéro	Colonne 1	Colonne 2
96.	Afficher illégalement un drapeau ou autre emblème	alinéa 6 b)
97.	Défiler illégalement	alinéa 6 c)
98.	Accomplir illégalement toute action qui peut vraisemblablement porter des personnes à s'assembler	alinéa 6 d)
99.	Creuser illégalement le sol	article 7
100.	Transporter illégalement des bâtiments ou des constructions qui peuvent entraver la circulation sur la chaussée	article 8
101.	Transporter illégalement des machines qui peuvent entraver la circulation sur la chaussée	article 8
102.	Poser ou afficher des avis, des affiches ou d'autres dispositifs publicitaires dans une zone interdite sans permis d'affichage	article 10
103.	Exposer des avis, des affiches ou d'autres dispositifs publicitaires dans une zone interdite sans permis d'affichage	article 10
104.	Guider des visiteurs moyennant rétribution sans permis de guide	paragraphe 11 (1)
105.	Exploiter un véhicule touristique sans permis de guide	paragraphe 11 (2)
106.	Permettre à une autre personne d'exploiter un véhicule touristique sans permis de guide	paragraphe 11 (2)
107.	Exploiter un véhicule touristique sans permis de véhicule touristique	paragraphe 12 (1)
108.	Permettre à une autre personne d'exploiter un véhicule touristique sans permis de véhicule touristique	paragraphe 12 (1)
109.	Vitesse supérieure à 40 km/h dans le parc Queen Victoria	alinéa 13 (3) a)
110.	Vitesse supérieure à 40 km/h dans le parc Queenston Heights	alinéa 13 (3) a)
111.	Vitesse supérieure à 50 km/h sur la partie désignée du chemin Lakeshore	alinéa 13 (3) b)
112.	Vitesse supérieure à 50 km/h sur la partie désignée de la promenade Niagara	alinéa 13 (3) b)
113.	Vitesse supérieure à 50 km/h sur la partie désignée de la promenade Niagara	alinéa 13 (3) c)
114.	Vitesse supérieure à 60 km/h sur les voies publiques, chemins, boulevards ou promenades de la Commission	alinéa 13 (3) d)
115.	Utiliser un véhicule hors des tronçons des voies publiques, des chemins, des boulevards ou des promenades de la Commission qui sont aménagés pour la circulation des véhicules	paragraphe 13 (4)
116.	Utiliser un véhicule tracté, propulsé ou conduit par la force musculaire dans les endroits interdits	paragraphe 13 (4.1)
117.	Conduire une motoneige dans une zone non désignée à cette fin	alinéa 13 (5) a)
118.	Conduire une motoneige entre 23 h et 7 h	alinéa 13 (5) b)
119.	Utiliser un véhicule lourd	paragraphe 13 (9)
120.	Conduire un véhicule lourd	paragraphe 13 (9)
121.	Marcher sur les voies publiques, les chemins, les boulevards ou les promenades dans les endroits interdits	paragraphe 13 (12)
122.	Ne pas immobiliser son véhicule avant d'emprunter la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade	paragraphe 14 (1)
123.	Bicyclette — ne pas céder le passage au moment d'emprunter la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade à partir d'un sentier	paragraphe 14 (2)
124.	Véhicule motorisé — ne pas céder le passage au moment d'emprunter un sentier qui ne fait pas partie de la partie carrossable d'une voie publique, d'un chemin, d'un boulevard ou d'une promenade	paragraphe 14 (3)
125.	Afficher illégalement une affiche ou un dispositif publicitaire à l'extérieur d'un véhicule touristique	article 19
126.	Faire fonctionner un système de sonorisation ou un haut-parleur à partir d'un véhicule touristique	article 20
127.	Permettre à un enfant de moins de 10 ans qui n'est pas accompagné d'un adulte de se trouver dans les parcs	article 21

### 3. Le règlement est modifié par adjonction de la version française suivante de l'annexe 82.1 :

#### ANNEXE 82.1

Règlement 1023 des Règlements refondus de l'Ontario de 1990 pris en application de la *Loi sur la Commission des parcs du Saint-Laurent*

Numéro	Colonne 1	Colonne 2
1.	Couper une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
2.	Enlever une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
3.	Endommager une plante, un arbrisseau ou un arbre	alinéa 2 (1) a)
4.	Abîmer les biens de la Commission	alinéa 2 (1) b)
5.	Enlever les biens de la Commission	alinéa 2 (1) b)
6.	Endommager les biens de la Commission	alinéa 2 (1) b)
7.	Aller dans les secteurs fermés des parcs	alinéa 2 (1) c)



Numéro	Colonne 1	Colonne 2
8.	Aller dans les parcs ailleurs qu'à un point d'entrée désigné	paragraphe 2 (2)
9.	Vendre illégalement un article	alinéa 3 (1) b)
10.	Vendre illégalement un service	alinéa 3 (1) b)
11.	Mettre illégalement un article en vente	alinéa 3 (1) b)
12.	Mettre illégalement un service en vente	alinéa 3 (1) b)
13.	Mendier	alinéa 3 (1) c)
14.	Demander la charité	alinéa 3 (1) c)
15.	Entrer illégalement dans les parcs dans les 10 jours après avoir été expulsé	paragraphe 3 (4)
16.	Tenter illégalement d'entrer dans les parcs dans les 10 jours après avoir été expulsé	paragraphe 3 (4)
17.	Avoir illégalement en sa possession un fusil à air comprimé	alinéa 4 a)
18.	Allumer ou faire partir illégalement des pièces de feux d'artifice	alinéa 4 b)
19.	Jeter des débris ailleurs que dans les récipients fournis à cette fin	paragraphe 5 (1)
20.	Abandonner des objets ailleurs que dans les récipients fournis à cette fin	paragraphe 5 (1)
21.	Ne pas garder un emplacement de camping dans un état propre	paragraphe 5 (2)
22.	Ne pas rétablir un emplacement de camping dans son état naturel	paragraphe 5 (2)
23.	Allumer un feu ailleurs que dans un foyer	alinéa 6 (2) a)
24.	Entretenir un feu ailleurs que dans un foyer	alinéa 6 (2) a)
25.	Allumer un feu à un endroit non désigné à cette fin	alinéa 6 (2) b)
26.	Entretenir un feu à un endroit non désigné à cette fin	alinéa 6 (2) b)
27.	Laisser brûler un feu sans surveillance	paragraphe 6 (3)
28.	Fumer dans un endroit interdit	paragraphe 6 (4)
29.	Amener un animal non attaché à une laisse dans les parcs	paragraphe 7 (1)
30.	Amener dans les parcs un animal attaché à une laisse d'une longueur supérieure à deux mètres	paragraphe 7 (1)
31.	Faire illégalement de l'équitation dans les parcs	paragraphe 7 (2)
32.	Permettre à un animal, notamment un cheval ou un chien, d'aller dans les eaux servant à la baignade	paragraphe 7 (3)
33.	Permettre à un animal, notamment un cheval ou un chien, d'aller sur la plage	paragraphe 7 (3)
34.	Conduire un véhicule en dehors de la chaussée	article 8
35.	Conduire un véhicule à un endroit non désigné à cette fin	article 8
36.	Utiliser un véhicule lourd sans consentement	paragraphe 11 (2)
37.	Faire atterrir un aéronef ailleurs que dans un aéroport	article 12
38.	Ne pas obéir à un ordre concernant la circulation	paragraphe 13 (2)
39.	Conduire illégalement un véhicule utilitaire dans les parcs	article 14
40.	Se trouver illégalement dans les parcs entre le coucher du soleil et 9 h	article 16
41.	Pique-niquer dans des lieux non prévus à cette fin	article 17
42.	Se livrer à des activités sportives dans des lieux non prévus à cette fin	article 18
43.	Utiliser un bateau dans un lieu de baignade	paragraphe 19 (1)
44.	Utiliser une planche à voile dans un lieu de baignade	paragraphe 19 (1)
45.	Utiliser des skis nautiques dans un lieu de baignade	paragraphe 19 (1)
46.	Utiliser un aquaplane dans un lieu de baignade	paragraphe 19 (1)
47.	Laisser un bateau sur une plage adjacente à un lieu de baignade	paragraphe 19 (2)
48.	Laisser une planche à voile sur une plage adjacente à un lieu de baignade	paragraphe 19 (2)
49.	Occuper illégalement un emplacement de camping	article 20
50.	Placer plus de trois éléments de matériel sur un emplacement de camping	paragraphe 23 (1)
51.	Construire un quai sur un emplacement de camping ou à proximité de celui-ci	paragraphe 23 (2)
52.	Construire un hangar sur un emplacement de camping ou à proximité de celui-ci	paragraphe 23 (2)
53.	Laisser un emplacement de camping inoccupé pendant plus de huit heures au cours des 24 premières heures	paragraphe 24 (4)
54.	Laisser illégalement un emplacement de camping inoccupé pendant plus de 48 heures	paragraphe 24 (5)
55.	Visiteur — ne pas quitter un emplacement de camping au plus tard à 21 h	paragraphe 24 (7)
56.	Permettre à plus de six personnes (sauf un ou deux adultes et leurs enfants) d'occuper un emplacement de camping	paragraphe 24 (9)
57.	Faire illégalement entrer un véhicule dans les parcs	paragraphe 25 (1)
58.	Transporter illégalement un bâtiment	article 28

#### 4. Le présent règlement entre en vigueur le jour de son dépôt.

25/08

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website (<http://www.e-laws.gov.on.ca/>).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne (<http://www.lois-en-ligne.gouv.on.ca/>).











